

Dock Street Theatre
135 Church Street
February 26, 2018
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Seekings

C. Pledge of Allegiance

D. Presentations and Recognitions

1. A Resolution supporting the elimination of all forms of discrimination and violence against women and girls, promoting the health and safety of women and girls, and supporting their being afforded equal academic, economic, social, cultural and business opportunities in the City of Charleston; expressing support for individual cities passing resolutions and ordinances to implement the principles of the elimination of all forms of discrimination against women at the local level; providing an effective date of February, 26, 2018. *(Councilwoman Jackson)*
2. Proclamation recognizing Women's Week
3. Recognition of the City of Charleston Employee of the Year and Quarterly Winners

E. Public Hearings

1. An ordinance providing for the issuance of \$7,500,000 Accommodations Tax Revenue Bonds of the City of Charleston, South Carolina, and other matters relating thereto.
(SECOND READING)
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 116 Queen Street (Peninsula) (0.045 acre) (a portion of TMS# 457-08-04-074) (Council District 8), be rezoned so as include the rear portion of the property in the School Overlay Zone (S) classification. The property is owned by L. Sloan Wright et al. *(TO BE WITHDRAWN)*
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 363, 367 and 369 King Street (peninsula) (0.44 acre) (TMS #457-04-02-027, 028 and 029) (Council District 8), be rezoned from Urban Commercial (UC) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by 23 Bond Owner 363-369 King LLC.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the

Zone Map, which is a part thereof, so that 1625 Jessamine Road (West Ashley) (0.36 acre) (TMS #351-12-00-078) (Council District 9), be rezoned from Single-Family Residential (SR-2) classification to Single and Two-Family Residential (STR) classification. The property is owned by BS LLC.

5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located at Bees Ferry Road and West Ashley Circle (West Ashley) (approximately 7.0 acres) (a portion of TMS# 301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Whitfield Construction Company.
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on South Gevert Drive (James Island) (0.24 acre) (TMS #343-03-00-270) (Council District 11), annexed into the City of Charleston January 23, 2018 (#2018-006), be zoned Single-Family Residential (SR-1) classification. The property is owned by Union Investments LLC.
7. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to implement new regulations for Short Term Rental Uses and Bed and Breakfast uses in the City of Charleston (**AS AMENDED**)

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. February 13, 2018 (*Deferred*)

H. Citizens Participation Period

I. Petitions and Communications:

- a. Appointment of Councilmember Harry Griffin to the Municipal Golf Course Commission
- b. Appointment of Councilmember Robert Mitchell and Councilmember Harry Griffin to the History Commission
- c. Appointment of Councilwoman Carol Jackson to the Commission on Women and reappointment of Commission members
- d. Appointment of Councilmember Marvin Wagner to the Charleston Area Transportation Study Policy Committee (CHATS)
- e. Rescind vote with respect to second and third reading given to the following bill:

An ordinance to provide for the annexation of property known as property on Bees Ferry

Road (approximately 17.13 acres) (a portion of TMS# 286-00-00-040), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Julia E Bradham, Margaret Bradham Thornton and John M. Bradham.

J. Council Committee Reports:

1. Committee on Community Development: (Meeting was held Thursday, February 22, 2018 at 4:30 p.m.)

(Update Cooper River Bridge Redevelopment Area/Executive Session)

2. Committee on Traffic and Transportation: (Meeting was held Monday, February 26, 2018 at 2:00 p.m.)

a.) Application for Original Certificate of Public Convenience and Necessity:
-- Yuan Ping Li, DBA Nandu Cab & Limo (Limo)

b.) Traffic Calming Speed Humps for Approval (INFORMATION ONLY)
Fairway Drive – Country Club II Neighborhood
Bermuda Stone Road – Carolina Bay

c.) Residential Parking Permit Appeal – 61 Vanderhorst Street (INFORMATION ONLY)

3. Committee on Ways and Means:

(Bids and Purchases)

(Office of Cultural Affairs: Approval to apply for funding from Charleston County for accommodations tax funding to support the 2018 Free Verse Poetry Festival in the amount of \$10,000. No City match is required.

(Office of Cultural Affairs: Approval to apply for funding from Charleston County for accommodations tax funding to support the 2018 Holiday Magic in Historic Charleston in the amount of \$10,000. No City match is required.

(Office of Cultural Affairs: Approval to apply for funding from Charleston County for accommodations tax funding to support the 2019 Piccolo Spoleto Festival in the amount of \$15,000. No City match is required.

(Office of Cultural Affairs: Approval to apply for funding from Charleston County for accommodations tax funding for the 2018 MOJA Arts Festival in the amount of \$15,000. No City match is required.

(Parks-Capital Projects: Acceptance of Federal funding in the amount of \$225,232 for Phase 1 of the Huger Street Fire Station #08 Retrofit Project [*FEMA-DR-4241-SC HMGP Project 77 (S197)*]. This would be matched with \$85,077 in City funding, and is for the purpose of preparing design and permit documents for the mitigation of future hazards at the station (hurricane, earthquake, flood, etc.) This is a reimbursable grant, and the

requirements must be satisfied no later than April 02, 2020. Successful completion of the tasks will allow competitive applications for future funding for implementation of the required improvements. The approval of the grant award will institute a \$340,309 project budget. The funding sources for the project are: FEMA Hazard Mitigation Grant Funds (\$255,232) and 2015 General Fund Reserves (\$85,077).

(Parks-Capital Projects: Approval of the Herbert Hassel Pool Resurfacing Construction Contract with Atkinson Pools and Spas in the amount of \$125,263 for removal and replacement of the existing pool plaster and replacement of the surge tank covers. With approval of the project budget, staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council approved budget. Approval of this action will institute a \$139,250 project budget of which the \$125,263 Construction Contract will be funded. The funding sources for this project are the Capital Projects, Structural Repairs (\$125,487) and Facilities Maintenance, General Maintenance (\$13,763) in the 2018 General Operating Budget.

(Public Service: Approval for B&C Land Development to install new laterals in the amount of \$51,412 on Ashley Avenue from the inlets to the recently renovated storm drain. The existing laterals were found to be broken beyond repair. The work was completed to prevent collapse of the laterals and complete the pipe repair project.

(Public Service: Approval of the professional service agreement for administration and management of the following grants: FEMA 4241-DR-SC-52-226 Acquisition and Demolition of 36 structures and FEMA 4241-DR-SC-54-280 Acquisition and Demolition of 12 structures. The amount needed for this item is \$753,070. The cost to administer and manage the grant project is a reimbursable expense. The grant covers 75% of the expenses, and the City's 25% will come from the Drainage Fund.

(Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Niandrea Taylor for the sale of 56 Nunan Street for \$195,208. This property is being sold subject to the HOME Investment Partnerships Program Resale Restrictive Covenants with an affordability period of 30 years. The owner of the property is the City of Charleston. (56 Nunan Street; TMS: 460-07-01-025) [Ordinance]

(Consider a Purchase and Sale Agreement for 101 Broad Street ***(To be sent under separate cover by the Real Estate Department)***)

(Nassau Street Parcel Acquisition ***(To be sent under separate cover by the Real Estate Department)***)

Give first reading to the following bill coming from Ways and Means:

An ordinance authorizing the Mayor to execute on behalf of the City an Agreement of Purchase and Sale, in which the City agrees to sell to Niandrea Taylor the property located at 56 Nunan Street (TMS No. 460-07-01-025) for \$195,208, subject to the Home Investment Partnership Program Resale Restrictive Covenants, and further authorizing the City to accept a Promissory Note, secured by a Second Priority Mortgage on the property, for \$60,408.00 towards the purchase price.

K. Bills up for Third Reading:

1. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 10 Society Street and two vacant parcels on Society Street (Peninsula) (0.62 acre) (TMS #458-01-04-002, 458-01-04-004 and 458-01-04-021) (Council District 1), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Leonard Storage Co, Inc and John T. Leonard, Inc. (DEFERRED)*
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 32 Laurens Street and a vacant parcel on Laurens Street (Peninsula) (1.32 acres) (TMS #458-01-04-003 and 458-01-02-017) (Council District 1), be rezoned from General Business (GB) and Light Industrial (LI) classifications to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Roy F. Cole, Jr. et al. (DEFERRED)*

L. Bills up for Second Reading:

1. *An ordinance to amend the City of Charleston Century V 2010 Comprehensive Plan update, adopted by Charleston City Council on February 22, 2011, to incorporate the chapter overviews and plan implementation sections of Plan West Ashley, dated December 28, 2017, said overviews and implementation sections being attached to this ordinance as Exhibit A. **(AS AMENDED)***
2. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties located on Lee Street, Cooper Street and Aiken Street (Peninsula) (approximately 2.07 acres) (TMS #459-05-04-116, 192, 193, 194, 195, 197, 198, 220, and portions of 208 and 209) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by the City of Charleston.*
3. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 41 Bogard Street (Peninsula) (0.05 acre) (TMS #460-08-03-144) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by 9 Bogard St LLC.*
4. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 18 Percy Street (Peninsula) (0.05 acre) (TMS #460-08-01-063) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by 9 Bogard St LLC.*

5. *An ordinance authorizing the Mayor to execute on behalf of the City a Quit-Claim Deed to Timothy D. Weber and Tara-Lehua Weber pertaining to 56 South Street so as to release any reversionary interest of the City in 56 South Street.*
6. *An ordinance authorizing the Mayor to execute on behalf of the City a Quit-Claim Deed to the Gathering at Morris Square, individually and as assignee of Smith-Morris Company, LLC, or its assigns (the "Grantee"), pertaining to City owned properties on Cannon Street bearing Charleston County Tax Map Nos. 460-11-04-150 and 460-11-04-151 (the "Property"), with the delivery of the Deed being conditioned on Grantee simultaneously granting the City a Temporary Construction Easement and an Exclusive Permanent Easement on, over and under the property.*
7. *An ordinance to provide for the annexation of property known as 1430 Agatha Street (0.13 acre) (TMS# 351-07-00-071), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Victoria Johnson Life Estate.*
8. *An ordinance to provide for the annexation of property known as property on Bees Ferry Road (approximately 17.13 acres) (a portion of TMS# 286-00-00-040), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Julia E Bradham, Margaret Bradham Thornton and John M. Bradham. (DEFERRED)*
9. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Bees Ferry Road (West Ashley) (approximately 17.13 acres) (a portion of TMS #286-00-00-040) (Council District 5), be zoned Limited Business (LB) classification. The property is owned by Julia E. Bradham et al. (DEFERRED)*
10. *An ordinance to annex to the City of Charleston properties located West of the Ashley River on or near Highway 61 bearing Charleston County Tax Map Nos. 361-00-00-006, 361-00-00-007, 364-00-00-001 and 364-00-00-002 as shown on the map attached to this ordinance labeled "annexation exhibit" and to make said properties a part of District 10. (DEFERRED)*
11. *An ordinance to annex to the City of Charleston properties located West of the Ashley River on or near Highway 61 bearing Charleston County Tax Map Nos. 301-00-00-002, 301-00-00-003, 301-00-00-005, 301-00-00-023 (a portion), 359-00-00-006 as shown on the map attached to this ordinance labeled "annexation exhibit" and to make said properties a part of District 10. (DEFERRED)*
12. *An ordinance to provide for the annexation of property known as Oakville Plantation Road (approximately 18.61 acres) (TMS# 317-00-00-007), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached*

hereto and make it part of District 5. The property is owned by Keith W. Lackey et al. (DEFERRED)

13. *An ordinance to amend Section 54- 943(c) of the Code of the City of Charleston (Zoning Ordinance) to modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to council to a simple majority of a quorum of the City Council (AS AMENDED). (DEFERRED)*

M. Bills up for First Reading

1. An ordinance authorizing the Mayor to execute on behalf of the City Quit-Claim Deeds, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Hayne Street, running from Church Street to Anson Street, conveying to such owners one-half of the width of Hayne Street as said street abuts the respective owner's property, subject to any and all easements or other matters of record **(AS AMENDED)**.
2. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 8 providing for a Temporary Moratorium on the issuance of development permits for Residential (Single Family and Multi-Family) Development on John's Island *(DEFERRED)*
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 651 Meeting Street (Peninsula) (0.61 acre) (TMS #463-16-02-061) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by 651 Meeting Street Partners. *(DEFERRED)*
4. An ordinance authorizing the Mayor to execute on behalf of the City a Lease between the City, as Landlord, and Emanuel African American M.E. Church of Charleston, as tenant, pertaining to property owned by the City located at 113 Calhoun Street *(DEFERRED)*
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 89.0 acres) (portions of TMS# 317-00-00-089 and 317-00-00-011) (Council District 5), be rezoned from Light Industrial (LI) classification to Rural Residential (RR-1) classification. The property is owned by Keith W. Lackey et al. *(DEFERRED)*
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 18.61 acres) (TMS #317-00-00-007) (Council District 5), be

zoned Rural Residential and Conservation (RR-1 and C) classifications. The property is owned by Keith W. Lackey et al. (*DEFERRED*)

7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 3265 Maybank Highway (Johns Island) (1.40 acres) (TMS #279-00-00-205) (Council District 5), be rezoned from Commercial Transitional (CT) classification to General Office (GO) classification. The property is owned by George Gratzick. (*DEFERRED*)
8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that West Ashley Circle at Glenn McConnell Parkway (West Ashley) (approximately 21.76 acres) (a portion of TMS# 301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Whitfield Construction Company. (*DEFERRED*)
9. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Clements Ferry Road at I-526 (Cainhoy) (approximately 67.98 acres) (TMS #271-00-02-024, 271-00-02-025, 271-00-02-026 and 271-00-02-069) (Council District 1), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Hotel Holdings LLC, SCT Properties LLC and Joka III LLC. (*DEFERRED*)

N. Miscellaneous Business:

1. The next regular meeting of City Council will be March 13, 2018 at 5:00 p.m. at City Hall, 80 Broad Street.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.



A RESOLUTION SUPPORTING THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST WOMEN AND GIRLS, PROMOTING THE HEALTH AND SAFETY OF WOMEN AND GIRLS, AND SUPPORTING THEIR BEING AFFORDED EQUAL ACADEMIC, ECONOMIC, SOCIAL, CULTURAL AND BUSINESS OPPORTUNITIES IN THE CITY OF CHARLESTON; EXPRESSING SUPPORT FOR INDIVIDUAL CITIES PASSING RESOLUTIONS AND ORDINANCES TO IMPLEMENT THE PRINCIPLES OF THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN AT THE LOCAL LEVEL; PROVIDING AN EFFECTIVE DATE OF FEBRUARY 26, 2018.

WHEREAS, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was adopted by the United Nations General Assembly on December 18, 1979, became an international treaty on September 3, 1981, and 187 United Nations member nations have agreed to be bound by CEDAW's provisions. The United States is one of only six countries that have not ratified CEDAW, never having been brought to the Senate floor for a vote; and

WHEREAS, CEDAW defines discrimination and provides a practical blueprint to promote human rights and open opportunities for women and girls in all areas of society. The empowerment of women is central to building democratic, peaceful, and prosperous societies; and

WHEREAS, although women in this country have made gains in the struggle to eradicate discrimination, much more needs to be accomplished. CEDAW provides an opportunity for dialogue on how to address persistent gaps in women's full equality, particularly regarding closing the pay gap, reducing domestic violence, and stopping trafficking; and

WHEREAS, Cities for CEDAW was launched at the United Nations Commission on the Status of Women in March 2014. The Cities for CEDAW campaign is a grassroots effort that provides tools and leadership to empower local women's organizations and municipalities and effectively initiate CEDAW within their respective localities; and

WHEREAS, the Charleston City Council desires that women and girls who live in the City of Charleston enjoy all the rights, privileges and remedies that are bestowed on all people in the United States, no matter their race, national origin, gender or religious belief, and declares that

Charleston, South Carolina, is a city that shall not tolerate discrimination against women or girls, or violence perpetrated against them in any form; and

WHEREAS, City government has an appropriate and legitimate role in affirming the importance of eliminating all forms of discrimination against women in communities as universal norms and to serve as guide for public policy.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF CHARLESTON, SOUTH CAROLINA:

Section 1. That the City Council of the City of Charleston supports the elimination of all forms of discrimination and violence against women and girls, promoting the health and safety of women and girls, and supporting their being afforded equal academic, economic, social, cultural and business opportunities in the City of Charleston.

Section 2. That the City Council of the City of Charleston hereby expresses support for the Cities for CEDAW initiative and their support for individual cities and counties passing resolutions and ordinances to implement the principles of CEDAW (Convention on the Elimination of all Forms of Discrimination Against Women) at the local level.

Section 3. That this resolution shall take effect immediately upon its adoption.

John J. Tecklenburg
Mayor, City of Charleston

Vanessa Turner Maybank
Clerk of Council



City of Charleston

JOHN J. TECKLENBURG
MAYOR

PROCLAMATION

- WHEREAS, Exquisite Enterprises, Inc. has organized **WOMEN'S WEEK** (commonly referred to as 10 Days of Women) as a celebration of women; and
- WHEREAS, **WOMEN'S WEEK** was created to recognize women for all that they are and all that they do; and
- WHEREAS, designed for all women, **WOMEN'S WEEK** acknowledges the impact that women have across sectors: business, education, engineering government, health care, arts, entrepreneurship, advocacy and more; and
- WHEREAS, **WOMEN'S WEEK** intends to honor all of the characteristics that make women unique, while bringing women together to support each other; and
- WHEREAS, each day during **WOMEN'S WEEK** will have a theme, topic, or focus of the day with an activity, organizations and professionals are encouraged to engage their audiences with creative ideas and events to honor women, thus creating a dialogue that will bind them together and make them stronger; and
- WHEREAS, I encourage all citizens to honor and pay tribute to the amazing women who have helped to shape our families, our communities, our city, our nation, and our world.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor of the City of Charleston, do hereby proclaim March 5-15, 2018 to be:

WOMEN'S WEEK

IN WITNESS WHEREOF, I do hereby set my hand and cause the seal of Charleston to be affixed, this 26th day of February in the year of 2018.

John J. Tecklenburg, Mayor



NOTICE OF PUBLIC HEARING

Change of Location

NOTICE IS HEREBY GIVEN that the City Council of City of Charleston, South Carolina, at its meeting on Monday, February 26, 2018, at 5:00 o'clock p.m., **in the Dock Street Theatre, 135 Church Street**, Charleston, South Carolina, will conduct a public hearing for the purpose of receiving comments on adoption of an Ordinance titled "AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$7,500,000 ACCOMMODATIONS TAX REVENUE BONDS OF THE CITY OF CHARLESTON, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO."

At the time and place fixed for said public hearing, all residents or other interested persons who appear will be given an opportunity to express their views for or against the adoption of the Ordinance.

VANESSA TURNER MAYBANK

Clerk of Council

C22-1667678-1

E1.)



Ratification
Number _____

AN ORDINANCE

PROVIDING FOR THE ISSUANCE OF \$7,500,000 ACCOMMODATIONS TAX REVENUE BONDS OF THE CITY OF CHARLESTON, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, SOUTH CAROLINA, IN MEETING ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

Section 1.01. Recitals and Statement of Purpose.

Incident to the adoption of this ordinance, and the issuance of the bonds provided for herein, the City Council of the City of Charleston, South Carolina ("**Council**"), the governing body of the City of Charleston, South Carolina (the "**City**") makes the following findings of fact:

1. Section 12-36-920(A) of the South Carolina Code of Laws of South Carolina imposes a 7% sales tax on accommodations (the "**State Accommodations Tax**"). Sections 6-4-5 to 6-4-30 of the South Carolina Code of Laws, titled "Allocation of Accommodations Tax Revenues," sets forth the purposes to which funds received by a municipality from the State Accommodations Tax are to be applied. Section 6-4-15 of the South Carolina Code of Laws, titled "Use of revenues to finance bonds," provides:

A municipality or county may issue bonds to finance all or a portion of the cost of constructing facilities for civic activities which fulfill the purpose of this chapter. The annual debt service of indebtedness incurred to finance the facilities...may be provided from the funds received by a municipality or county from the accommodations tax in an amount not to exceed the amounts received by the municipality or county after deduction of the accommodations tax funds dedicated to the general fund and the advertising and promotion fund.

2. Sections 6-1-500 to 6-1-570 of the South Carolina Code of Laws, titled "Local Accommodations Tax," permits, at Section 6-1-520, a municipality to impose a local accommodations tax, not to exceed 3%. Section 6-1-530, titled "Use of revenue from local accommodations tax," permits revenue generated by the local accommodations tax to be used for, among other things, tourism-related buildings.

3. The City adopted an ordinance on February 27, 1996 (the "**Local Accommodations Tax Ordinance**") imposing a 1% tax on the gross proceeds derived from the rental of accommodations (the "**Local Accommodations Tax**"). Section 7 of the ordinance provides that revenue bonds may be issued secured by a pledge of the Local Accommodations Tax. In addition, Section 6-1-760, Code of Laws of South Carolina, 1976, as amended, provides in part that "Any county or municipality is authorized to issue bonds pursuant to Article X, Section 14(10) of the Constitution of this State utilizing the procedures of Section 4-29-68...."

4. The City is constructing the International African American Museum (the "**IAAM**") on approximately 1.47 acres adjacent to the South Carolina Aquarium Parking Garage. Located on the site of the historic Gadsden's Wharf, an epicenter of the transatlantic slave trade, the IAAM will educate the public on the history of the African American experience in America and the Lowcountry. The IAAM will be Charleston's newest museum and one dedicated to African American history and identity. As another major asset in the revitalization of the City's waterfront, the IAAM is expected to attract new visitors to the area and add depth to the City's existing heritage. As such, the IAAM will be integral to the City's historic district and provide the venue for one of the many civic activities enjoyed by residents and tourists alike. Therefore, the IAAM is one for which the proceeds of the State Accommodations Tax and the Local Accommodations Tax may be expended and one for which bonds secured by such sources of

payment may be issued under Sections 6-4-15 and 6-1-760 of the South Carolina Code and Section 7 of the Local Accommodations Tax Ordinance (collectively, the "**Enabling Act**").

5. By Ordinance adopted February 9, 2010, City Council made provision for the issuance of the \$2,100,000 Accommodations Tax Revenue Bond of 2010 dated February 10, 2010 (the "**2010 Bond**") secured in part by a pledge of State and Local Accommodations Tax revenues. The proceeds of the 2010 Bond were applied to improvements at the City Market.

6. By Ordinance adopted November 23, 2010, City Council made provision for the issuance of the \$3,400,000 Accommodations Tax Revenue Bond of 2010A dated December 1, 2010 (the "**2010A Bond**") secured in part by a pledge of State and Local Accommodations Tax revenues which is on a parity with the 2010 Bond. The proceeds of the Series 2010A Bond were also applied to capital costs associated with improvements at the City Market.

7. By Ordinance adopted November 6, 2013, City Council made provision for the issuance of the \$5,000,000 Accommodations Tax Revenue Bond of 2014 dated August 19, 2014 (the "**2014 Bond**") secured by a pledge of State and Local Accommodations Tax revenues which pledge of such revenues is on a parity with the pledge of State and Local Accommodations Tax revenues securing the 2010 Bond and the 2010A Bond. The proceeds of the Series 2014 Bond were applied to construction of the IAAM.

8. By Ordinance adopted September 23, 2014, City Council made provision for the issuance of a \$5,000,000 Accommodations Tax Revenue Bond of 2014A dated October 22, 2014 (the "**2014A Bond**" and, together with the 2010 Bond, the 2010A Bond and the 2014 Bond, the "**Outstanding Bonds**") secured by a pledge of State and Local Accommodations Tax revenues which pledge of such revenues is on a parity with the pledge of State and Local Accommodations Tax revenues securing Outstanding Bonds. The proceeds of the Series 2014A Bond were applied to construction of capital improvements at the Gibbes Museum of Art and the South Carolina Aquarium.

9. Article III of each of the ordinances for the Outstanding Bonds permits additional debt to be issued on a parity with the Outstanding Bonds upon compliance with the following provisions:

A. There shall exist, on the occasion of the issuance of the Additional Parity Bonds, no default in the payment of the principal of or interest on the Outstanding Bonds or any bonds payable from the sources securing the Outstanding Bonds, and, if default in the payment of interest or principal of any bond then outstanding shall have taken place, that such default shall have been remedied at least six months prior thereto; and

B. The Revenues (as defined herein) for each of the two Fiscal Years immediately preceding the fiscal year in which Additional Parity Bonds are to be issued shall be not less than 150% of the highest combined principal and interest requirements in the then current and any future Fiscal Year for the Outstanding Bonds and any Additional Parity Bonds then proposed to be issued. "**Fiscal Year**" shall mean the period of twelve calendar months, beginning on January 1 of each year, and ending on December 31 of such year, unless the same shall have been changed by City Council.

10. As stated in the Ordinance authorizing the 2014 Bond, the Board of Directors of the IAAM (the "**Board**") advised City Council of an anticipated budget to acquire, construct and equip the IAAM of approximately \$75,000,000. The Board further advised that funding sources are anticipated to include contributions from the public sector as well as a nationwide private fundraising effort. City Council

is now minded to issue \$7,500,000 Accommodations Tax Revenue Bonds to help defray additional capital costs of the IAAM.

ARTICLE II

ISSUANCE OF THE BONDS

Section 2.01. Issuance of the Bonds.

Pursuant to the Enabling Act and in order to provide the funds necessary to defray the cost of the IAAM, there shall be issued, in one or more series, \$7,500,000 Accommodations Tax Revenue Bonds of the City of Charleston, South Carolina (the "**Bonds**"). The Mayor of the City is hereby authorized and empowered to determine the dated date of the Bonds, which date shall not be later than December 31, 2018, the aggregate principal amount of the Bonds, the interest payment dates of the Bonds, the maturity dates of the Bonds, the principal amount of each maturity of the Bonds, the interest rates for the Bonds, the Bonds to be subject to mandatory and optional redemption and the redemption prices and the terms thereof and all other terms and conditions of the Bonds. The foregoing terms and conditions shall be set forth in a certificate of the Mayor.

Section 2.02. Form of Bonds.

The Bonds will be issued in the denomination to be determined by the Mayor with such necessary or appropriate variations, omissions and insertions as are otherwise permitted by law or by this Ordinance.

Section 2.03. Medium of Payment of the Bonds.

The principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Semi-annual payments of principal and interest of the Bonds shall be payable by check or draft mailed to the Holder, return receipt requested, thereof by the City, provided, however, that the final installment of principal and interest on the Bonds shall be payable upon presentation and surrender of such Bonds to the City.

Section 2.04. Registration, Transfer & Exchange of the Bonds.

The Bonds shall at all times be registered as to principal and interest in the name of the Holder on the Books of Registry to be maintained in the office of the City and each transfer to be valid shall be made on the Books of Registry and similarly noted on the Bonds.

Section 2.05. Execution of the Bonds.

The Bonds shall be executed in the name of the City with the manual signature of the Mayor and attested by the manual signature of the Clerk of the City and the official seal of the City shall be impressed or printed thereon.

Section 2.06. Registrar & Transfer Agent of the Bonds; Book of Registrar.

(a) The Clerk of the City will be the registrar for the Bonds and transfer agent for the Bonds and will keep proper registry and transfer records, including a Book of Registry in which she shall register the name and address of the Holder of the Bonds as the same is presented for registration. Upon

presentation of the Bonds for registration or transfer, the fact of such registration or transfer shall be noted on the Bonds. No transfer of the Bonds shall be valid unless made at such office of the registrar and noted on such Bonds.

(b) No person shall be entitled to any right or benefit provided in the Bonds unless the name and address of such person is registered with the Clerk of the City and the fact thereof is endorsed by such Clerk upon the Bonds and upon the Book of Registry. The City may deem and treat such Registered Owner of the Bonds as the absolute owner of such Bonds for the purpose of receiving payment of the principal and interest thereof and for all other purposes whatever. No charge shall be made for registration.

(c) The Books of Registry shall show (i) the date of registration, (ii) the name and address of the person in whose name the Bonds are registered, and (iii) the signature of the Clerk. The latest chronological date of registration of such Bonds, as the same shall appear in the Books of Registry, shall be exclusive as to the name and address of the Holder for all purposes.

Section 2.07. Tax-Exempt Status of Bonds in South Carolina.

The Bonds and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 2.08. Replacement of Missing or Damaged Bonds.

In case the Bonds shall become mutilated in respect of the body of such Bond or shall be believed by the City to have been destroyed, stolen or lost, upon proof of ownership, satisfactory to the City, and upon surrender of such mutilated Bond or upon receipt of evidence satisfactory to the City of such destruction, theft or loss, and upon receipt also of indemnity satisfactory to the City, and upon payment of all expenses incurred by the City for any investigation relating thereto, and all expenses incurred in connection with the issuance of any new Bond under this Section, the then Mayor and the then Clerk of the City shall execute and deliver a new Bond of the same maturity, and for the same aggregate principal amount, of like tenor and date, bearing the same number, with such notations as shall be deemed appropriate, in exchange and substitution for, and upon the cancellation of, the mutilated Bond, or in lieu of and in substitution of the Bond so lost, stolen or destroyed.

Section 2.09. Security for Payment of Bonds: Priority of Lien.

The Bonds shall be secured by a pledge of and a lien upon, revenues received by the City from the State Accommodations Tax after deduction of the payments required by Section 6-4-10 of the South Carolina Code of Laws and the Local Accommodations Tax (the "**Revenues**"). Such pledge and lien with respect to the Revenues shall be on a parity with the payments due on the Outstanding Bonds and any future obligations issued on a parity pursuant to Article III herein.

To secure payment of the Outstanding Bonds and the Bonds, the City shall annually make provisions for deduction of the State Accommodations Tax funds dedicated to the purposes provided at Section 6-4-10 and thereafter appropriate from the Revenues the sums representing yearly payment of the Outstanding Bonds and the Bonds.

The Bonds shall be a special obligations of the City and shall be payable solely from the revenues to the extent herein provided. If Additional Parity Bonds shall at any time hereafter be issued as provided

for at Article III herein, they shall be equally and ratably secured with that portion of security for the Bonds comprised of the Revenues.

Until expended, monies on account in the Project Fund (as defined at Section 2.12 herein) shall further secure payment of the Bonds.

Section 2.10. Discharge of Obligation.

Payments of principal and interest, whether by prepayment or otherwise, made in respect to the Bonds may be made to the Holder, without presentation or surrender of the Bonds (provided, however, that the final payment of principal and interest shall be made only upon presentation and surrender for the Bonds as provided at Section 2.03 herein) and all such payments shall fully discharge the obligation of the City in respect to the Bonds to the extent of the payments so made.

Section 2.11. Bonds Constitute Limited Obligation of the City.

The full faith, credit and taxing power of the City are not pledged for the payment of the principal of and interest on the Bonds and there shall be on the face of the Bonds a statement plainly worded to that effect and stating that the Bonds do not constitute an indebtedness of the City within any State constitutional provisions or statutory limitation. No recourse shall be had for the payment of the Bonds or interest thereon, or any part thereof, against the several funds of the City, except in the manner and to the extent provided in this Ordinance nor shall the credit or taxing power of the City be deemed to be pledged thereto.

Section 2.12. Custody and Application of Proceeds of the Bonds.

The entire proceeds derived from the sale of the Bonds shall be deposited to an account maintained on the records of the City (the "**Project Fund**") and will be allocated to the payment of costs in connection with the IAAM as described at Section 2.01 herein. Certain of the proceeds shall be applied to reimbursement of the City for payments advanced for costs described at Section 2.01. Council is mindful of the fact that, in order for the use of federally tax-exempt obligation proceeds to be considered "expended" for purposes of United States Treasury Department Internal Revenue Service Regulation 1.150-2 when used to reimburse the City for expenditures made prior to the issuance of the obligations, certain conditions including the making of a declaration of intent to reimburse such expenditures must be met. In connection with past expenditures, Council has expressed its intention to reimburse those costs from subsequent borrowings. The remaining proceeds of the Bonds shall be applied as described in the first sentence above.

Section 2.13. Authorization for Preparing and Selling Bonds.

The Mayor, the Chief Financial Officer and the City Clerk of the City are hereby severally authorized and directed to execute and deliver the Bonds and any and all other documents and closing certificates and to do and to cause to be done any and all acts necessary and proper for carrying out the transactions contemplated by this Ordinance. Such officers are authorized to execute such documents, their execution thereof to be conclusive evidence of approval.

Section 2.14. Representations.

The City hereby represents and warrants to the Holder that:

1. The City is a municipal corporation organized and existing under the laws of the State of South Carolina;
2. The City is authorized by the laws of the State of South Carolina, including particularly Section 6-1-760 of the Code of Laws of South Carolina 1976, as amended, to enact the Local Accommodations Tax Ordinance and this Ordinance, to issue the Bonds, and to secure the Bonds in the manner contemplated by the Ordinance;
3. The City has full power and authority to consummate the transactions contemplated by this Ordinance and the Agreement;
4. The City has duly authorized all necessary action to be taken by it for: (i) the issuance and sale of the Bonds upon the terms set forth herein, (ii) the application of the proceeds of the Bonds for the purposes described herein; and (iii) the execution, delivery and receipt of the Bonds and any and all such other agreements and documents as may be required to be executed, delivered, and received by the City in order to carry out, give effect to, and consummate the transactions contemplated hereby;
5. The Bonds, when issued, delivered and paid for as herein provided, will have been duly authorized, executed, issued and delivered and will constitute special obligations of the City entitled to the benefits and security of the Ordinance. The Bonds are payable by the City from security described in Section 2.09;
6. There is no action, suit, hearing, proceeding, inquiry or investigation at law or in equity or before or by any court, public board, agency or body pending or, to the best of the City's knowledge, threatened against or directly affecting the City (nor, to the knowledge of the City, any meritorious basis therefor) contesting the due organization and valid existence of the City or wherein an unfavorable decision, ruling or finding would, in any way, adversely affect (i) the transactions contemplated hereby or the validity or due enactment of the Local Accommodations Tax Ordinance or this Ordinance or the validity, due authorization and execution of the Bonds, the Agreement or any agreement or instrument to which the City is a party and which is used or contemplated for use in the consummation of the transactions contemplated hereby; (ii) the exemption of interest on the Bonds from taxation in South Carolina as described in Section 2.07 below, (iii) the organization, existence or powers of the City or the title of the Mayor or any of the members of the City Council or any officers of the City, or (iv) the business, properties or assets or the condition, financial or otherwise, of the City; and
7. The execution and delivery by the City of the Bonds and the enactment of this Ordinance and compliance with the provisions thereof do not and will not conflict with or constitute on the part of the City a breach of or a default under any existing law, court or administrative regulation, decree, order or any agreement, indenture, mortgage or lease by which it is or, on the date of issuance of the Bonds, will be bound, and this Ordinance constitutes a legally binding obligation of the City enforceable in accordance with its terms.

ARTICLE III

ISSUANCE OF ADDITIONAL PARITY BONDS

Section 3.01. Right to Issue Additional Parity Bonds.

The City specifically reserves the right to issue additional parity bonds ("**Additional Parity Bonds**") in such amount as it from time to time shall deem necessary and which, if issued in accordance with the provisions hereof, shall be on a parity with the pledge of Revenues securing the Outstanding Bonds, the Bonds and any other bonds issued on a parity therewith.

The right of the City to issue Additional Parity Bonds shall depend solely upon its compliance with the provisions set forth at paragraph 9 of Article I herein.

ARTICLE IV

EVENTS OF DEFAULT

Section 4.01. Events of Default.

Each of the following events is hereby declared an "**Event of Default**," that is to say, if:

1. Payment of the principal of or interest on the Bonds shall not be made when the same shall become due and payable; or
2. The City shall for any reason be rendered incapable of fulfilling its obligations hereunder not described in any other section of this Section 4.01 or shall fail to perform timely and properly, keep and preserve any term, provision, covenant, agreement or condition herein not described in any other section of this Section 4.01; or
3. An "event of default" occurs under this Ordinance or any other ordinance, document or agreement related to the Outstanding Bonds or any Additional Parity Bonds; or
4. The City files a bankruptcy petition or makes a general assignment for the benefit of its creditors; or
5. The City denies or claims in writing that it has no further liability or obligation under this Ordinance or the Bonds; or
6. The Local Accommodations Tax Ordinance, the State Accommodations Tax, the Ordinance or the Bonds is not enforceable.

ARTICLE V

REMEDIES

Section 5.01. Remedies.

Upon the happening and continuance of any Event of Default then the Holders of the Bonds may proceed, subject to the provisions of this Article, to protect and enforce its rights by a suit, action or special proceedings in equity, or at law, for the specific performance of any covenant or agreement

contained herein or in aid or execution of any power herein granted, or for the enforcement of any proper legal or equitable remedy as may be deemed most effectual to protect and enforce the rights aforesaid, insofar as such may be authorized by law.

Section 5.02. Termination of Proceedings.

In case any proceeding shall have been discontinued or abandoned for any reason, or shall have been determined adversely to the Holders of the Bonds, then, and in every such case, the City and the Holders of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties shall continue as though no such proceedings had been taken.

Section 5.03. No Remedy Exclusive.

No remedy herein conferred is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, or by statute.

Section 5.04. Default Not Impaired by Delay.

No delay or omission to exercise any right or power accruing upon any default occurring and continuing as aforesaid, shall impair any such default or be construed as an acquiescence therein; and every power and remedy given by this Article may be exercised from time to time and as often as may be deemed expedient.

ARTICLE VI

DEFEASANCE

Section 6.01. Release of Ordinance.

If the Bonds issued pursuant to this Bond Ordinance shall have been paid and discharged, then the obligations of the City under this Ordinance, the pledge of Revenues and revenues payable to the City pursuant to the Agreement made hereby, and all other rights granted thereby shall cease and determine.

ARTICLE VII

SALE OF BONDS

Section 7.01. Sale of Bonds by the City.

The Mayor is authorized to sell the Bonds on the terms and under the conditions set forth herein.

ARTICLE VIII

MISCELLANEOUS

Section 8.01. Execution of Documents.

The Mayor and Clerk are hereby authorized, empowered and directed to execute in the name of the City any and all other documents that may be required as a condition precedent to making the aforesaid loan to the City, and the City is hereby authorized and empowered to accept and receive the proceeds of such loan.

Section 8.02. Audit Required.

The City, not later than 270 days after the close of each Fiscal Year, shall furnish the Purchaser, upon request, with a copy of its annual audit, conducted in accordance with generally accepted accounting and auditing practices.

Section 8.03. Filing with Central Depository.

Pursuant to Section 11-1-85, Code of Laws of South Carolina, 1976, as amended, the City shall file an independent audit with a central repository and file with a central repository event specific information within thirty days of an event adversely affecting more than five percent of revenue or its tax base.

Section 8.04. Tenor of Obligation.

Every covenant, undertaking and agreement made on behalf of the City set forth in the Bonds and in this Ordinance is made, undertaken and agreed to for the proper securing of the payment of the principal of and interest on the Bonds. Each shall be deemed to partake of the obligation of the contract between the City and the Holder, and shall be enforceable accordingly.

Section 8.05. Benefits of Ordinance Limited to the City and Holder of the Bonds.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from the Ordinance or the Bonds is intended or should be construed to confer upon or give to any person other than the City and the Holder of the Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to the Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. The ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City and the Holder from time to time of the Bonds as herein and therein provided.

Section 8.06. Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in the Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the Holder of the Bonds.

Section 8.07. Effect of Saturdays, Sundays and Legal Holidays.

Whenever the Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in the Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the next succeeding business day.

Section 8.08. Law and Place of Enforcement of the Ordinance.

The Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of the Ordinance shall be instituted in a court of competent jurisdiction in said State.

Section 8.09. Savings Provision.

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such action, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

Section 8.10. Required Publications and Public Hearing.

As required at Section 4-29-68, Code of Laws of South Carolina, 1976, a public hearing shall be held prior to adoption of this Ordinance. Notice of such public hearing shall in the form set forth in Exhibit A.

Section 8.11. Effective Date.

This Ordinance shall be effective without the necessity of any publication upon the date on which it receives final reading.

DONE, RATIFIED AND ADOPTED THIS 26th day of February, 2018.

CITY OF CHARLESTON, SOUTH CAROLINA

Mayor

Attest:

Clerk

First Reading: February 13, 2018

Second Reading: February 26, 2018

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of City of Charleston, South Carolina, at its meeting on February 26, 2018, at 5:00 o'clock p.m., in the City Council Chambers, 80 Broad Street, Charleston, South Carolina, will conduct a public hearing for the purpose of receiving comments on adoption of an Ordinance titled "AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$7,500,000 ACCOMMODATIONS TAX REVENUE BONDS OF THE CITY OF CHARLESTON, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO."

At the time and place fixed for said public hearing, all residents or other interested persons who appear will be given an opportunity to express their views for or against the adoption of the Ordinance.

Vanessa Turner-Maybank
Clerk, City Council of the City of Charleston

Date of Publication:

February 10, 2018

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

I, the undersigned, Clerk of the City Council of the City of Charleston, South Carolina ("City Council"), **DO HEREBY CERTIFY:**

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by City Council. The Ordinance was read at two public meetings of City Council on two separate days. An interval of at least six days occurred between each reading. At each meeting, a quorum of City Council was present and remaining present throughout the meeting.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand this ____ day of February, 2018.

Clerk, City Council of the City of Charleston, South
Carolina

PUBLIC HEARING NOTICE

CHANGE OF LOCATION

The public is hereby advised that the City Council of Charleston will hold a public hearing Monday, February 26, 2018, beginning at 5:00 p.m. at **Dock Street Theatre, 135 Church Street**, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

REZONINGS

1. To rezone 116 Queen Street (*Peninsula*) (0.045 acre) (A portion of TMS# 457-08-04-074) to include the rear portion of the property in the School (S) Overlay Zone classification. **Planning Commission recommends disapproval.**
2. To rezone 363, 367 and 369 King Street (*Peninsula*) (0.44 acre) (TMS# 457-04-02-027, 028 and 029) from Urban Commercial (UC) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification.
3. To rezone 1625 Jessamine Road (*West Ashley*) (0.36 acre) (TMS# 351-12-00-078) from Single-Family Residential (SR-2) classification to Single and Two-Family Residential (STR) classification.
4. To rezone property located on Bees Ferry Road and West Ashley Circle (*West Ashley*) (Approximately 7.0 acres) (A portion of TMS# 301-00-00-027) from Gathering Place (GP) classification to General Business (GB) classification.

ZONINGS

To zone the following properties annexed into the City of Charleston:

1. South Gervert Drive (*James Island*) (0.24 acre) (TMS# 343-03-00-270) Single-Family Residential (SR-1).

ORDINANCE AMENDMENT

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to implement new regulations for Short Term Rental uses and Bed and Breakfast uses in the City of Charleston. **The Planning Commission recommends adoption of the ordinance with the amendment of Section 54-208.3 (a)(5) that a Class 3 STR unit shall be located within a building constructed 5 or more years ago.**

VANESSA TURNER MAYBANK
Clerk of Council

CITY OF CHARLESTON PLANNING COMMISSION MEETING REPORT

MEETING OF JANUARY 17, 2018

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, January 17, 2018** in the Public Meeting Room, 1st Floor, 2 George St. The following applications were considered:

PLAN AMENDMENT

Request approval of adoption of the *Plan West Ashley* area plan.

RECOMMENDED ADOPTION OF PLAN WEST ASHLEY

REZONINGS

1. **Bees Ferry Rd (West Ashley) TMS# 3050800058 & 060** – approx. 50.07 ac. Request rezoning from Gathering Place (GP) to General Business (GB).

DEFERRED BY THE APPLICANT

2. **116 Queen St (Peninsula) a portion of TMS# 4570804074** – 0.045 ac. Request rezoning to include the rear portion of the property in the School (S) Overlay Zone.

RECOMMENDED DISAPPROVAL

3. **363, 367 & 369 King St (Peninsula) TMS# 4570402027, 028 & 029** – 0.44 ac. Request rezoning from Urban Commercial (UC) to Mixed-Use/Workforce Housing (MU-2/WH).

RECOMMENDED APPROVAL

4. **36 & 38 Line St and Sheppard St Right-of-Way (Peninsula) TMS# 4590503105, 106 & 138** – approximately 0.64 ac. Request rezoning from Light Industrial (LI), General Business (GB) and unzoned right-of-way to Mixed-Use (MU-2) & Mixed-Use Workforce Housing (MU-2/WH).

DEFERRED BY THE APPLICANT

5. **1625 Jessamine Rd (West Ashley) TMS# 3511200078** – 0.36 ac. Request rezoning from Single-Family Residential (SR-2) to Single and Two-Family Residential (STR).

RECOMMENDED APPROVAL

6. **1551 Mulberry St (West Ashley) TMS# 3500700090** – 0.45 ac. Request rezoning from Single-Family Residential (SR-2) to Commercial Transitional (CT).

DEFERRED BY THE APPLICANT

7. **Bees Ferry Rd and West Ashley Cir (West Ashley) TMS# 3010000027** (a portion) – approx. 7.0 ac. Request rezoning from Gathering Place (GP) to General Business (GB).

RECOMMENDED APPROVAL

SUBDIVISIONS

1. **Bermuda Point (Ashley River Road – West Ashley) TMS# 3550700006 & 012** – 4.6 ac. 35 lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-12), Limited Business (LB), General Business (GB).

DEFERRED BY THE APPLICANT

2. **Grand Oaks, Phases 8, 9B-11 (Proximity Drive – West Ashley) TMS# 3010000696** – 72.8 ac. 137 lots. Request approval of revised subdivision concept plan. Zoned Planned Unit Development (PUD).

APPROVED

ZONINGS

1. **1 Riverdale Dr (West Ashley) TMS# 4181400080** – 0.26 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMENDED APPROVAL

2. **S Gevert Dr (James Island) TMS# 3430300270** – 0.24 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

RECOMMENDED APPROVAL

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

Preliminary & Final Plats

1. **8 ½ State Street (Peninsula) TMS# 4580903026** – 0.04 ac. 1 lot. LB. Final subdivision plat pending approval.
2. **Riverview Estates (River Road – Johns Island) TMS# 3120000064, 065, 066** – 45.6 ac. 48 lots. C & SR-1. Preliminary subdivision plat under review.
3. **CCSD West Ashley Campus (Sanders Road – West Ashley) TMS# 3060000011** – 126.2 ac. 3 lots. DR-6, GO, SR-1. Preliminary subdivision plat pending approval.
4. **Oak Bluff, Phase 1B (Oak Bluff Avenue – Cainhoy) TMS# 2690000043** – 4.7 ac. 19 lots. SR-1. Final subdivision plat pending approval.
5. **Parcel E, Phases 3 & 4 (Brailsford Street – Daniel Island) TMS# 2750000110** – 31.6 ac. DI-R. Final subdivision plat pending approval.
6. **F Street Parcel (Peninsula)** – 0.7 ac. 1 lot. Final subdivision plat pending approval.
7. **823 Jordan Street (James Island) TMS# 4250800029** – 0.7 ac. 2 lots. SR-1. Preliminary subdivision plat under review.
8. **Nabors Drive Townhomes (James Island) TMS# 4281600013, 046, 047, 048, 052** – 3.9 ac. 25 lots. DR-9. Revised preliminary subdivision plat pending approval.
9. **Oakfield, Phase 6 (Cane Slash Road – Johns Island) TMS# 2780000041** – 24.8 ac. 78 lots. PUD. Preliminary subdivision plat under review.
10. **Stonoview, Phase 4 (River Road – Johns Island) TMS# 3450000073 & 163** – 89.7 ac. 171 lots. PUD. Preliminary subdivision plat approved.
11. **Marshview Commons (McLernon Trace – West Ashley) TMS# 2850700003** – 29.0 ac. 165 lots. PUD. Final subdivision plat pending approval.
12. **Mount Pleasant Street & Ashley Avenue (Peninsula) TMS# 4630801119** – 0.1 ac. 2 lots. SR-2. Final subdivision plat pending approval.

- 13. Floyd Drive Extension (West Ashley) TMS# 3010000027** – 0.8 ac. 2 lots. GB & GP. Preliminary subdivision plat under review.

Road Construction Plans

- 1. CCSD West Ashley Campus (Sanders Road – West Ashley) TMS# 3060000011** – 126.2 ac. 3 lots. DR-6, GO, SR-1. Road construction plans pending approval.
- 2. Nabors Drive Townhomes (James Island) TMS# 4281600013, 046, 047, 048, 052** – 3.9 ac. 25 lots. DR-9. Revised road construction plans pending approval.
- 3. Floyd Drive Extension (West Ashley) TMS# 3010000027** – 0.8 ac. 2 lots. GB & GP. Road construction plans under review.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pg. In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.



E2.)
(To be withdrawn)

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 116 QUEEN STREET (PENINSULA) (0.045 ACRE) (A PORTION OF TMS# 457-08-04-074) (COUNCIL DISTRICT 8), BE REZONED SO AS INCLUDE THE REAR PORTION OF THE PROPERTY IN THE SCHOOL OVERLAY ZONE (S) CLASSIFICATION. THE PROPERTY IS OWNED BY L. SLOAN WRIGHT ET AL.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by including the rear portion of the subject property in the School Overlay Zone (S) classification.

Section 2. The property to be rezoned is described as follows:
116 Queen Street (Peninsula) (0.045 acre) (a portion of TMS# 457-08-04-074)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord _____,
in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 2

116 Queen St (Peninsula)

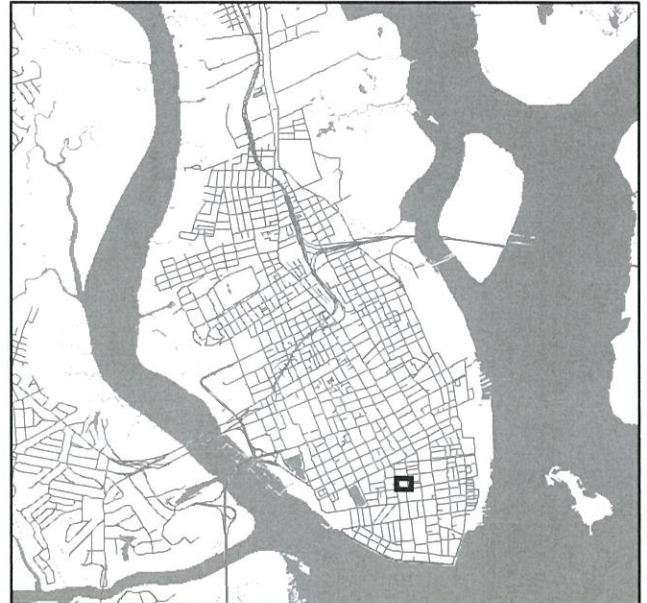
a portion of TMS# 4570804074

0.045 ac.

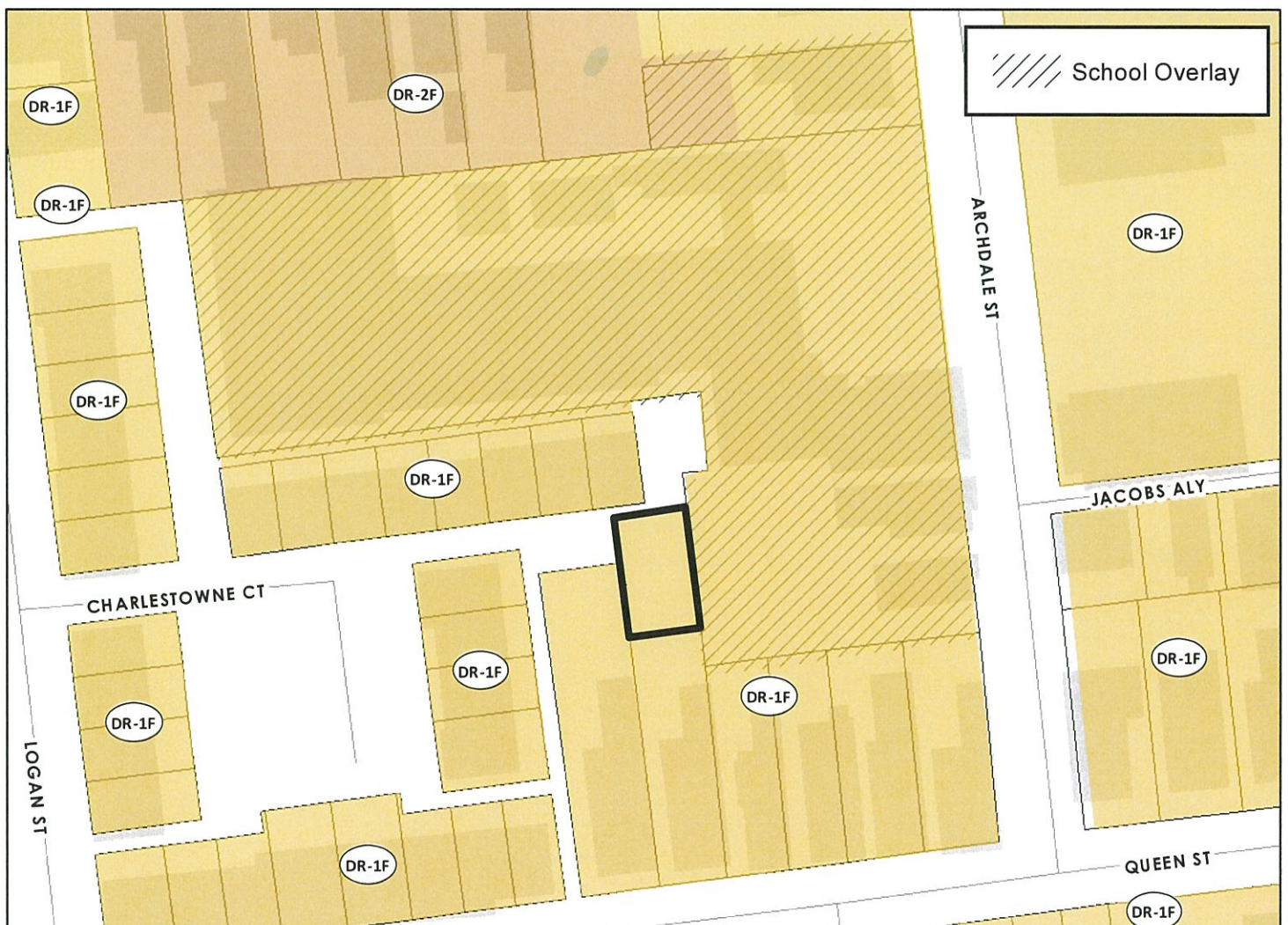
Request rezoning to include the rear portion of the property in the School (S) Overlay Zone.

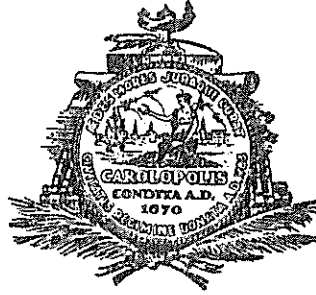
Owner: L. Sloan Wright et al.
Applicant: Charleston Day School

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 363, 367 AND 369 KING STREET (PENINSULA) (0.44 ACRE) (TMS #457-04-02-027, 028 AND 029) (COUNCIL DISTRICT 8), BE REZONED FROM URBAN COMMERCIAL (UC) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY 23 BOND OWNER 363-369 KING LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Urban Commercial (UC) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification.

Section 2. The property to be rezoned is described as follows:
363, 367 and 369 King Street (Peninsula) (0.44 acre) (TMS #457-04-02-027, 028 and 029)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the _____ Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 3

363, 367 & 369 King St (Peninsula)

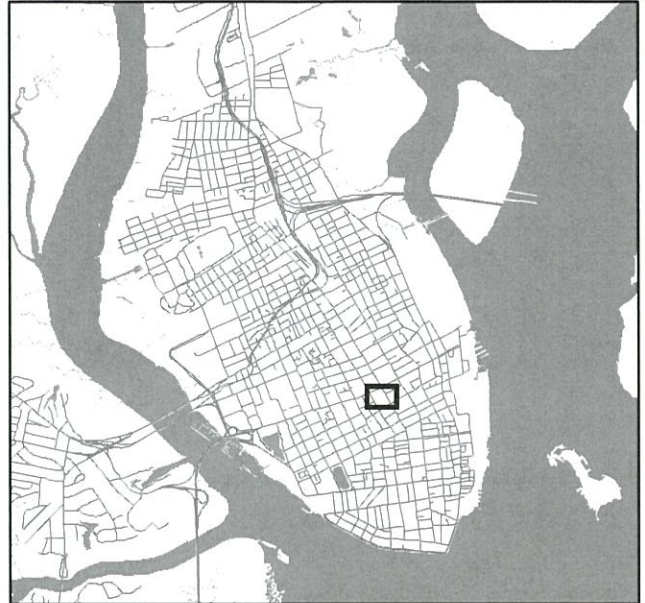
TMS# 4570402027, 028 & 029

0.44 ac.

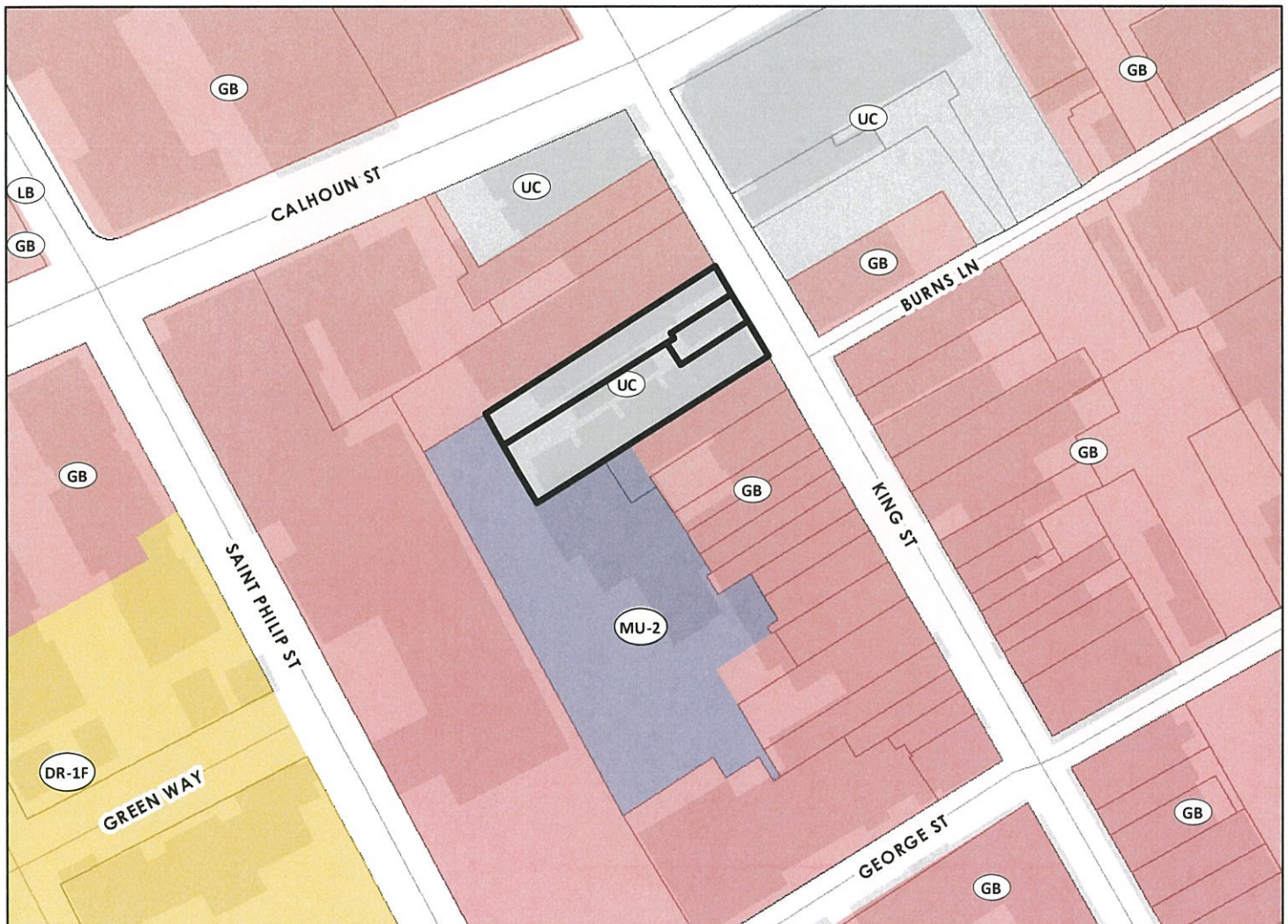
Request rezoning from Urban Commercial (UC) to
Mixed-Use/Workforce Housing (MU-2/WH).

Owner/ Applicant:
23 Bond Owner 363-369 King LLC

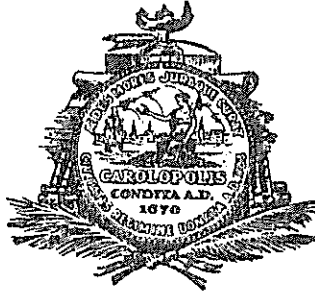
Area



Location



E4.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1625 JESSAMINE ROAD (WEST ASHLEY) (0.36 ACRE) (TMS #351-12-00-078) (COUNCIL DISTRICT 9), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION TO SINGLE AND TWO-FAMILY RESIDENTIAL (STR) CLASSIFICATION. THE PROPERTY IS OWNED BY BS LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Single-Family Residential (SR-2) classification to Single and Two-Family Residential (STR) classification.

Section 2. The property to be rezoned is described as follows:
1625 Jessamine Road (West Ashley) (0.36 acre) (TMS #351-12-00-078)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
_____ in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 5

1625 Jessamine Rd (West Ashley)

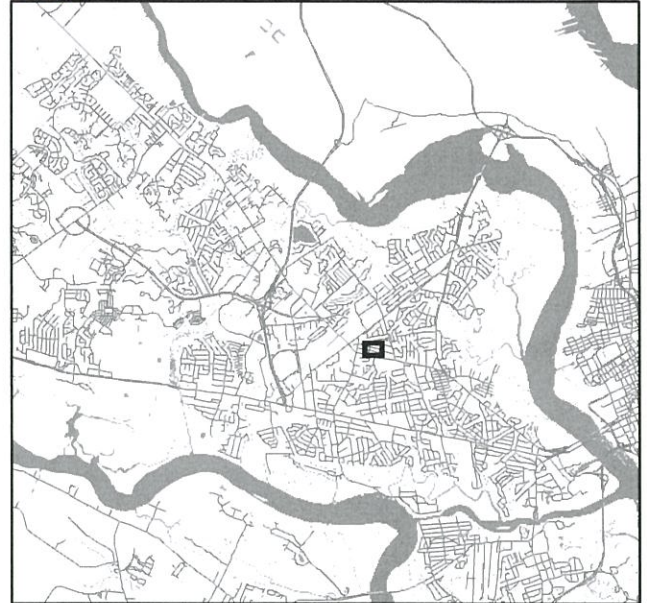
TMS# 3511200078

0.36 ac.

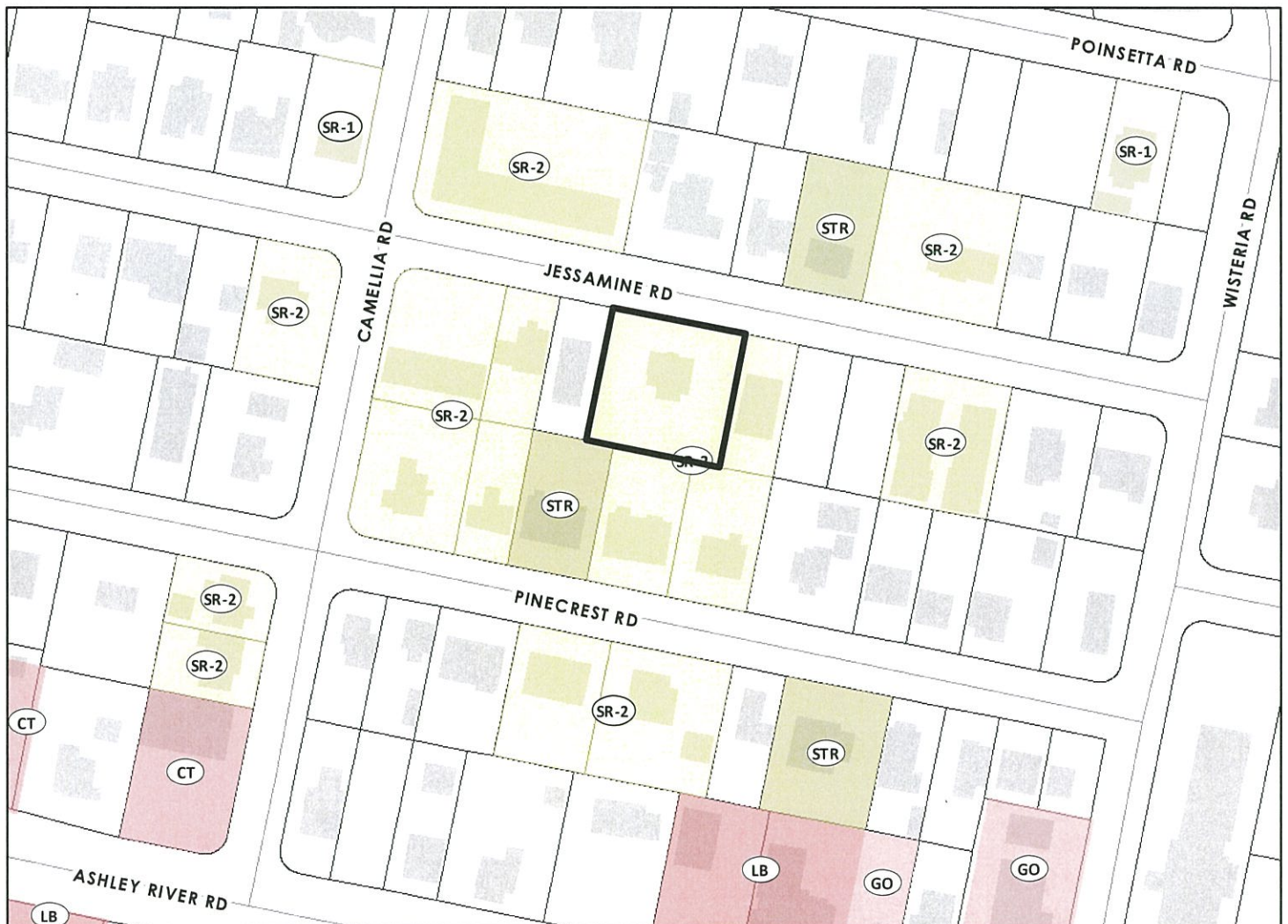
Request rezoning from
Single-Family Residential (SR-2) to
Single and Two-Family Residential (STR).

Owner/Applicant: BS LLC

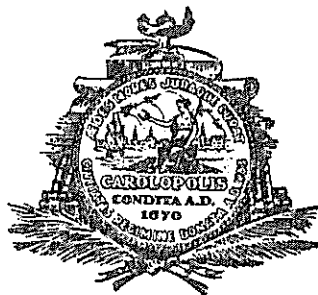
Area



Location



E5.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED AT BEES FERRY ROAD AND WEST ASHLEY CIRCLE (WEST ASHLEY) (APPROXIMATELY 7.0 ACRES) (A PORTION OF TMS# 301-00-00-027) (COUNCIL DISTRICT 5), BE REZONED FROM GATHERING PLACE (GP) CLASSIFICATION TO GENERAL BUSINESS (GB) CLASSIFICATION. THE PROPERTY IS OWNED BY WHITFIELD CONSTRUCTION COMPANY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Gathering Place (GP) classification to General Business (GB) classification.

Section 2. The property to be rezoned is described as follows:

Bees Ferry Road and West Ashley Circle (West Ashley) (approximately 7.0 acres) (a portion of TMS# 301-00-00-027)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning 7

Bees Ferry Rd and
West Ashley Cir (West Ashley)

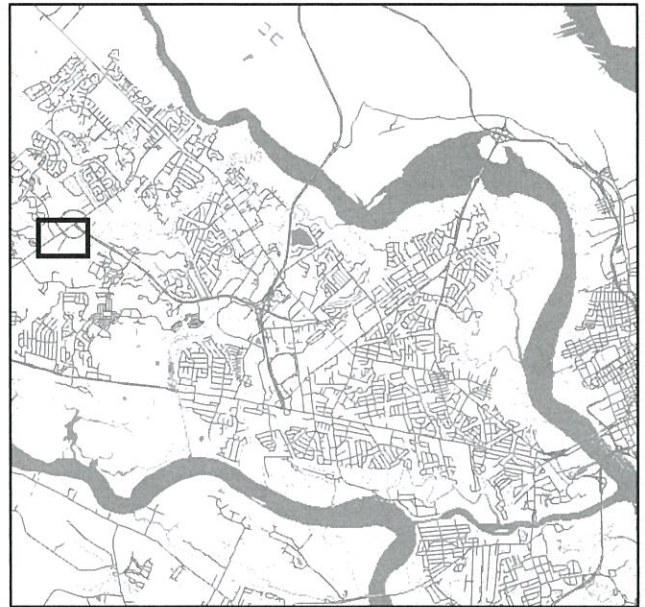
TMS# 3010000027 (a portion)

approx. 7.0 ac.

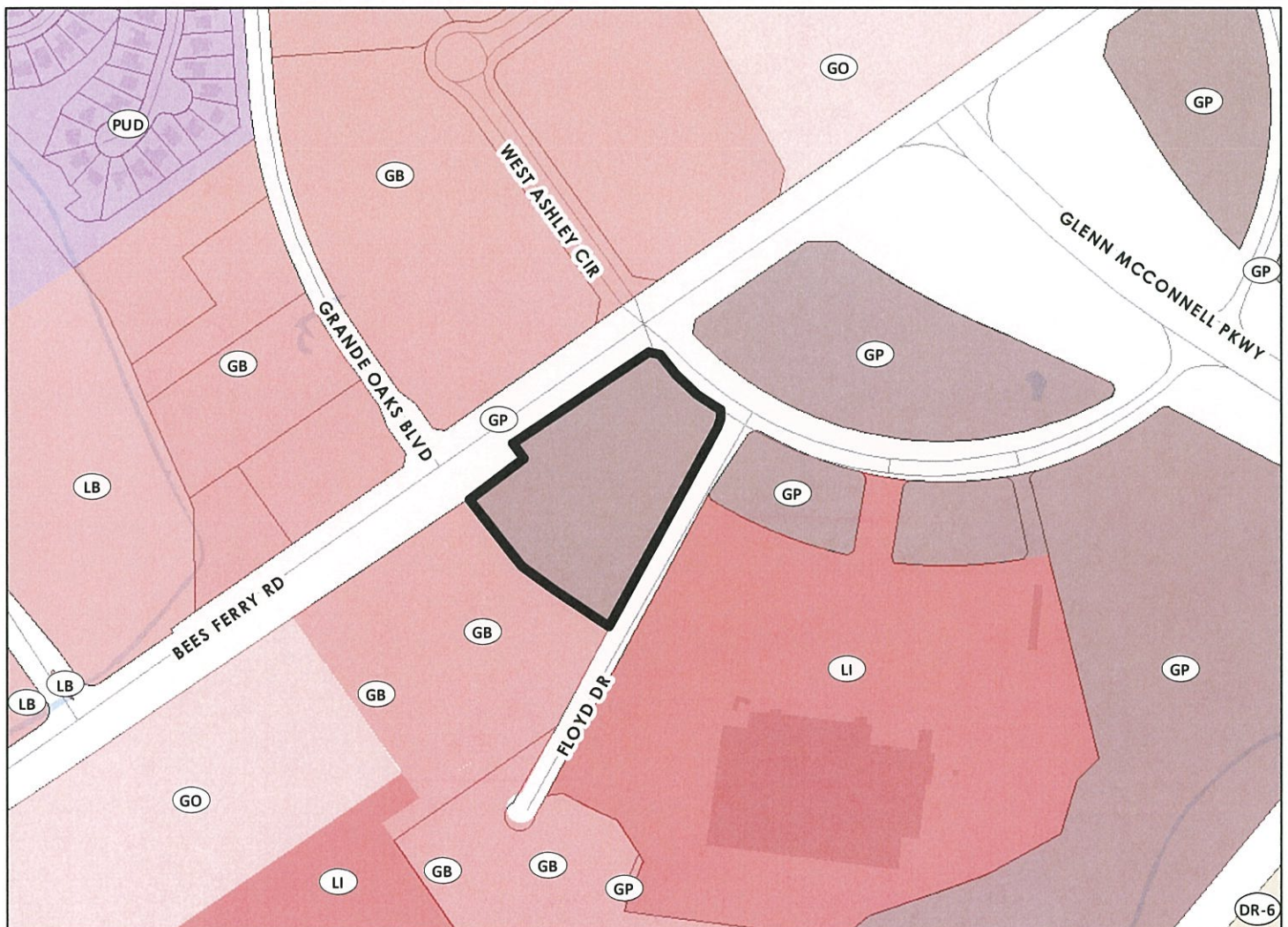
Request rezoning from Gathering Place (GP)
to General Business (GB).

Owner: Whitfield Construction Company
Applicant: Madison Capital Group

Area



Location



E6.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON SOUTH GEVERT DRIVE (JAMES ISLAND) (0.24 ACRE) (TMS #343-03-00-270) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 23, 2018 (#2018-006), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY UNION INVESTMENTS LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

South Gevert Drive (James Island) (0.24 acre) (TMS #343-03-00-270)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 2

S Gevert Dr (James Island)

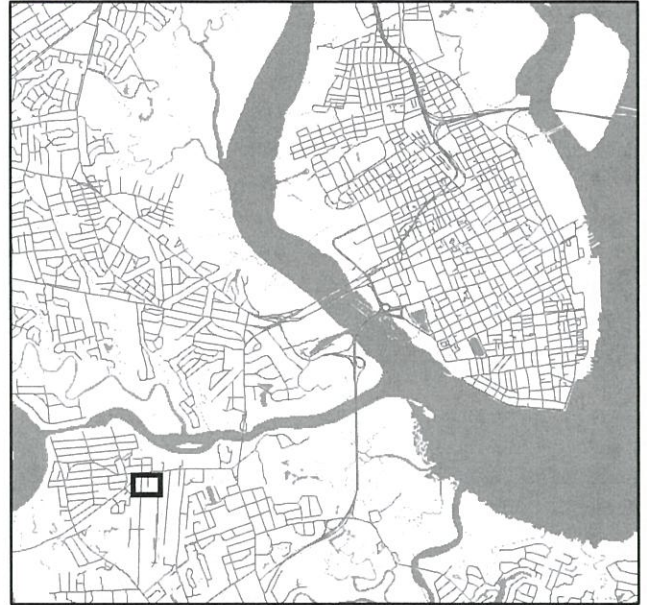
TMS# 3430300270

0.24 ac.

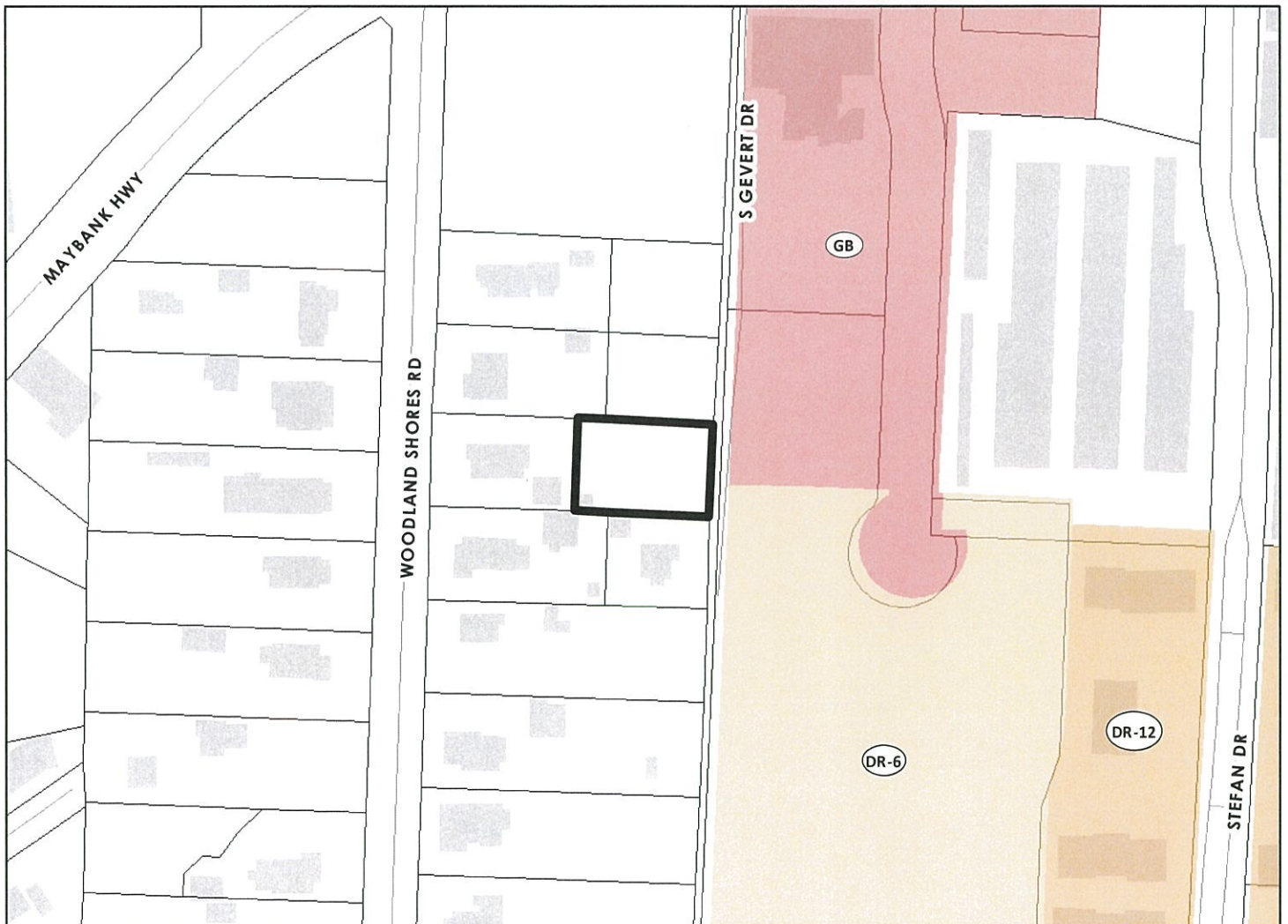
**Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.**

Owner: Union Investments LLC

Area



Location



E7.)

AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO IMPLEMENT NEW REGULATIONS FOR SHORT TERM RENTAL USES AND BED AND BREAKFAST USES IN THE CITY OF CHARLESTON (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Findings. City Council finds that attendant to the sharing economy that is being nationally embraced is a growing trend by the public to provide accommodations in their homes to travelers. City Council finds the provision of such type of accommodations can be beneficial under certain circumstances and, if properly regulated as short term rentals, provide a means of assisting property owners keep properties in good order and repair which, in turn, assists in stabilizing home ownership, maintaining property values and strengthening the economy of the City.

City Council is mindful of the importance of maintaining the residential character of City neighborhoods. Absent appropriate controls on the number and manner and places of operation of short term rentals, neighborhoods stand to be harmed by undue commercialization and disruption to the primary and overarching purpose of a neighborhood being first and foremost a residential community, where people actually live, not a place of transient occupancy. City Council is mindful that access to housing is not the same as access to homeownership, and inordinate reductions in the supply of housing available for standard rentals could have a destabilizing effect on housing affordability. City Council is also mindful of the differing built environments of City neighborhoods. By way of example, the neighborhoods

of the Old and Historic District are generally denser, have narrower streets and limited off-street parking and are more impacted by commerce and tourists than other neighborhoods of the City, circumstances that require careful consideration if the residential character of these neighborhoods is to be protected.

In November 2016, City Council established a short term rental task force to study the issue of the propriety of short term rentals in the City and to make recommendations with respect thereto. These recommendations were received, reviewed, and amended by the Planning Commission. City Council has received and reviewed the recommendations of the task force as amended by the Planning Commission and finds that the regulations hereafter set forth strike an appropriate balance among the neighborhoods of the City by recognizing the different characteristics and built environment of the Old and Historic District, by encouraging and strengthening opportunities for home ownership by providing a means of assisting owners of homes in the upkeep of their property, and significantly, by maintaining the residential character of neighborhoods by requiring that short term rentals be operated from owner-occupied homes, thus curbing the potential of neighborhoods becoming predominantly places for transients.

Section 2. Sec. 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting the definition “Bed and Breakfast” and “Short Term Rental” in their entirety and substituting in their place and stead the following:

Bed and Breakfast. A conditional use whereby the record owner of a property, who is also the Resident of the property, uses one (1) or more rooms per unit for one (1) to ten (10) bed and breakfast units for the purpose of providing sleeping accommodations for one family per unit for a period of between one (1) and twenty-nine (29) consecutive days. A Bed and Breakfast

use shall only be permitted in compliance with the procedures and conditions in Section 54-227 of the Zoning Ordinance and after a Bed and Breakfast Permit is issued by the City.

Short Term Rental or STR. A conditional use to provide sleeping accommodations for a period of between one (1) and twenty-nine (29) consecutive days. This use is further defined in this section as either a Commercial Short Term Rental use or a Residential Short Term Rental use with different permitting and operational requirements for each type of Short Term Rental use.

Section 3. Sec. 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning

Ordinance) is hereby amended by inserting in alphabetical order the following new definitions:

Commercial Short Term Rental. See definition for **Short Term Rental, Commercial**.

Managed Short Term Rental. See definition for **Short Term Rental, Managed**.

Resident. For purposes of this Chapter 54 of the Code of the City of Charleston, except for Section 54-211, the term "Resident" shall mean the record owner of the property who (1) physically resides at the subject property at least 183 days each year and (2) has designated the subject property as his/her legal voting address and the address of his/her driver's license. In addition, the subject property must be assessed at the four percent homeowner's assessment ratio according to the records of the county Assessor's Office. A single or dual member limited liability company (LLC) may qualify as a Resident of the subject property provided the member(s) provide(s) with the application for an STR Permit a sworn statement attesting that (s)he or they are the sole members of the LLC. The sole member(s) must also designate the subject property as his/their legal voting address and address of his/their driver's license, the subject property must be assessed at the four percent homeowner's assessment ratio according to the records of the county Assessor's Office, and the member(s) shall physically reside at the subject property at least 183 days each year.

Residential Short Term Rental. See definition for **Short Term Rental, Residential**.

Short Term Rental, Commercial. A Commercial Short Term Rental is a conditional use whereby a conforming or legal nonconforming dwelling unit is converted into a fully-functioning, private accommodations use, which includes cooking, living, sanitary and sleeping facilities within one dwelling unit, to be rented to one (1) Family for a period of between one (1) and twenty-nine (29) consecutive days. A Commercial Short Term Rental shall only be permitted as a conditional use when a conforming or legal nonconforming dwelling unit is converted to such use in compliance with the procedures and conditions in Section 54-227 of the Zoning Ordinance and after a Commercial STR Permit is issued by the City.

Short Term Rental, Residential. A Residential Short Term Rental is a conditional use whereby the record owner of a property, who is also a Resident of the property, uses one (1) or more rooms on the property for the purpose of providing sleeping accommodations for no more than two (2) people per bedroom for a period of between one (1) and twenty-nine (29) consecutive days. A Residential Short Term Rental shall only be permitted in compliance with the procedures and conditions in Section 54-208.1, 54-208.2 or 54-208.3 of the Zoning Ordinance and after a Class 1, Class 2, or Class 3 Residential STR Permit is issued by the City.

Short Term Rental, Managed. A type of Residential Short Term Rental that may be permitted in conjunction with a Class 1, Class 2 or Class 3 Residential STR Permit pursuant to the regulations in Section 54-208.4.

STR Permit. A Class 1, Class 2, or Class 3 Residential STR Permit, Managed STR Permit, or Commercial STR Permit issued by the City upon approval of a new application, change of ownership or annual renewal. Each Short Term Rental Permit shall include a permit number, the maximum number of guests permitted during a rental and an expiration date.

Section 4. Sec. 54-202 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by amending the wording of subsection h. to read as follows (new text shown with underline):

Short Term Rental, ST Overlay Zone. The Short Term Overlay Zone is intended to permit Commercial Short Term Rentals, as defined herein, in specific base zoning districts within the ST Overlay Zone and Bed and Breakfasts, as defined herein, in all base zoning districts within the ST Overlay Zone.

Section 5. Sec. 54-203 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting the words "bed and breakfasts" in their entirety and substituting in their place and stead, the words "Residential Short Term Rentals".

Section 6. Article 2, Part 2, Permitted Uses by Base Zoning District, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following new section:

"Sec. 54-204.3. Accommodations use restrictions.
Within all base zoning districts, it shall be unlawful to advertise, rent, or otherwise use a property, or part of a property, as an accommodations use, as herein defined, unless said use has been approved by the City of Charleston pursuant to this Chapter."

Section 67. Article 2, Part 3, Table of Permitted Uses, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance), is hereby amended by inserting "or 54-227, ST Overlay Zone" immediately after "See 54-220, Accommodations Overlay Zone" in the row for Principle Use Category 7043.

Section 78. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting Section 54-208 and Section 54-208.1 in their entirety and substituting in their place and stead the following new sections:

Sec. 54-208. The following provisions shall apply to all Residential Short Term Rentals ("STR").

- a. General Requirements. A Residential Short Term Rental use may be permitted as a Class 1, Class 2, or Class 3 STR Permit, if the zoning administrator determines the STR to be an accessory use to the principal residential use on a property which satisfies the requirements of Sec. 54-208.1, 54-208.2, or 54-208.3, as applicable, and issues a permit for such STR use. Each Residential Short Term Rental may also be permitted to operate as a Managed Short Term Rental, if the zoning administrator determines the STR satisfies the requirements of Sec. 54-208.4, as applicable, and issues a permit for such STR use.
- b. Operational Requirements. In all cases, Class 1, 2 or 3 STR uses shall adhere to the following operational requirements:
 1. The Residential STR shall be operated by the record owner of the subject property who shall also be a Resident of the subject property and who shall be residing overnight on the property while Residential STR guests are present; and

2. The property shall not contain signs advertising the STR use; and
 3. If meals are served by the Resident owner, no meals other than breakfast may be served to the paying guests; and
 4. The record owner of the subject property must keep in full force and effect during all times the STR is operated a general liability policy with a company authorized to do business in the State of South Carolina insuring against personal injury (including death) and property damage with limits of no less than \$1,000,000.00 per occurrence; and
 5. The Resident owner shall keep a current guest register including names, addresses, telephone numbers and dates of occupancy of all guests; and
 6. The Resident owner shall comply with all business license and revenue collection laws of the City of Charleston, Berkeley County or Charleston County, whichever is applicable, and State of South Carolina; and
 7. The Resident owner shall provide a rental packet containing applicable city rules and restrictions specified in the Residential STR Permit application materials, as well as pertinent unit safety information and contact information to guests when they book the STR and shall prominently display the STR Permit, rules, safety and contact information within the STR; and
 8. Each Class 1, 2, or 3 STR permittee is entitled to rent, list with a booking or listing service, advertise, make available for STR use, or otherwise market only one (1) STR unit; and
 9. The Resident owner and the owner's agent shall list the Residential STR Permit number on all advertisements, listings with booking services, and marketing materials, including without limitation, Airbnb, VRBO/Homeaway, FlipKey, and any other online websites and listing or booking platforms or services.
 10. The Residential STR shall not be expanded in any respect beyond the specific rooms which were designated as part of a Residential STR unit on plans relied upon by the city in approving a Residential STR Permit or beyond the maximum number of guests listed on the Residential STR Permit, nor shall the use be changed to any other use not permitted by the Zoning Ordinance without reapplication to and approval by the zoning administrator.
- c. Application procedure.
1. New Applications. Applications for new Class 1, 2 or 3 STR Permits shall be notarized and include the following:
 - (a) the location and name of the record owner of the property; and

- (b) an application fee; and
- (c) floor plans drawn to scale of the habitable structures on the property that clearly designate all rooms to be used by STR guests, and the specific room or rooms to be used by guests for sleeping; and
- (d) a site plan of the lot showing the location of the proposed Residential STR unit and the required off-street parking spaces and driveways; and
- (e) a photograph or photographs of the current principal view or views of the structure where the Residential STR unit is to be located; and
- (f) a statement which the Resident-owner must sign acknowledging that he or she has reviewed and understands the requirements of this Section and the applicable Section for the class of permit requested.

Upon receiving a complete application and prior to the issuance of a new STR Permit, the zoning administrator shall cause notice to be posted on the property upon which the proposed STR use is to be located for fifteen (15) consecutive calendar days, advising that the Resident-owner of the property has applied for a zoning permit to establish a STR use at the location and supplying a phone number to call for further information. During this fifteen (15) calendar day period, the zoning administrator shall determine if the application meets the requirements as set forth in this Section. If, at the end of the fifteen (15) day posting period, the zoning administrator determines that the application meets the requirements for the STR use requested, the zoning administrator shall notify the applicant that the application is approved and shall, after waiting an additional five business days to allow for appeals, issue the STR Permit, which shall be valid for one (1) year from the date of issuance, and shall be renewable annually unless revoked. Any appeals filed within the five-day period shall cause the issuance of the STR Permit to be stayed pending resolution of the appeal.

2. Renewal Applications:

- (a) For renewal of an STR Permit, a property owner shall be required to recertify compliance with this Section for the STR use with the zoning administrator. An application for annual recertification of the STR Permit must include the application fee, an affirmation by the applicant that the nature of the STR use at the property has not changed, and must be notarized, filed with, and approved by the zoning administrator to continue the STR use.
- (b) Upon a change in ownership of a property, and prior to the issuance of a new business license to allow continuation of an existing, permitted STR use upon said property, the new property owner shall be required to recertify compliance with this Section for the STR use and submit plans reaffirming the specific room or rooms to be used for the STR unit with the zoning administrator. An application for recertification

of the STR use must include the required plans and be notarized, filed with, and approved by the zoning administrator prior to the STR use by the new property owner.

3. On an annual basis the zoning administrator shall determine whether each STR use permitted under this Section remains in compliance with all the terms of this ordinance, and shall initiate such enforcement procedures as may be appropriate. All operators of STR uses permitted under this Section shall cooperate fully with the zoning administrator and his designees, including, but not limited to, providing pertinent information upon request and affording access to that portion of the property which is used for the STR use for reasonable site inspections.
- d. Existing approved bed and breakfast uses. All approved, legal bed and breakfast uses that are operating on the effective date of this ordinance or that are entitled to be in operation on the effective date of this ordinance on properties outside the Short Term Overlay Zone shall be issued a Class 1 or Class 2 STR Permit, depending on their location. Such previously approved uses shall adhere to the requirements of the Zoning Ordinance in effect prior to (date of the ratification of this ordinance).
- e. Violations and penalties.
 1. Violations. It shall be a violation of this Chapter for an owner, his agent or manager to:
 - (a) operate a Class 1, 2 or 3 STR use, a Bed and Breakfast use or other accommodations use without complying with the requirements of this Chapter and the Code of the City of Charleston; or
 - (b) expand an STR use or Bed and Breakfast use without obtaining a new permit; or
 - (c) advertise a property as being available for an STR use, Bed and Breakfast use or other accommodations use without first complying with the requirements of this Chapter; or
 - (d) represent or submit for advertising or marketing, or to otherwise hold out an STR unit, Bed and Breakfast unit or other accommodations unit as being available for use or occupancy unless the STR or Bed and Breakfast has been permitted pursuant to this Chapter and the permit number is displayed in the materials used to represent, advertise, market or otherwise hold out the property as available for STR or Bed and Breakfast use or occupancy; or
 - (e) represent or submit for advertising or marketing, or otherwise to hold out the availability of a STR or Bed and Breakfast for use or occupancy by more than the number of occupants that are permitted pursuant to this Chapter; or
 - (f) represent or submit for advertising, or marketing, or to otherwise hold out more STR or Bed and Breakfast units or other accommodations type units on a property than are permitted pursuant to this Chapter.

2. Penalties. A violation of this Chapter is a misdemeanor punishable by a fine and/or incarceration. Each day the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, use, or other violation under this Chapter continues is considered a separate offense. Any violation of this Chapter entitles the zoning administrator to revoke the STR or Bed and Breakfast permit.

~~Should the STR or Bed and Breakfast use fail to continue to meet the requirements under which it was authorized or be discontinued for a period of twelve (12) months or more, the operating permit issued pursuant to this Chapter shall be revoked.~~

Sec. 54-208.1 - Requirements for a Class 1 Short Term Rental, STR Permit for properties within the Old and Historic District.

- a. An STR use may be established in a dwelling unit as an accessory to the principal residential use, on any property located within the Old and Historic District, where the zoning administrator, after reviewing an STR Permit application, finds that the following requirements are met:
 1. The property shall not contain more than one (1) STR unit. Each unit shall consist of one or more rooms arranged for the purpose of providing sleeping accommodations for occupancy for one (1) to twenty-nine (29) consecutive days by up to by up to two (2) people per bedroom; and
 2. The subject property shall be located entirely within the Old and Historic District; and
 3. The STR shall be operated by the record owner of the subject property who is a Resident of the subject property; and
 4. The STR shall be subordinate and incidental to the principal residential use of the property; and
 5. The STR shall provide one (1) off street, maneuverable parking space on the subject property for the first two (2) bedrooms, and one (1) additional maneuverable parking space on the subject property for each additional bedroom, in addition to providing, on the subject property, required off street parking for existing uses on the property. The parking space(s) provided for the STR shall not be situated in tandem with the required spaces for other uses; and
 6. The STR unit shall be located within an existing structure or accessory building that is individually listed on the National Register of Historic Places; and
 7. The STR unit shall not displace an existing dwelling unit which has been occupied within one (1) year prior to the filing date of the application; and

8. The STR use shall not create the need for exterior alterations to any building for the purpose of maintaining such accessory use; and
9. The STR use shall be located on property which is in compliance with allowed uses for the zone district in which the property is located; and
10. The STR use shall be located on a lot which complies with the required minimum lot area for existing uses as specified under Table 3.1: Height, Area and Setback Regulations (applicable to SR and STR residential districts only); and
11. The STR use shall be located on a lot which has at least 40 feet of frontage on a public right-of-way (applicable to SR and STR residential districts only); and
12. The applicant for the STR use shall not be someone who has had an STR Permit revoked within the previous twenty-four (24) months.

Sec. 54-208.2. Requirements for a Class 2 Short Term Rental, STR Permit for properties located within the Old City District and outside the ST Overlay Zone.

- a. An STR use may be established in a dwelling unit as an accessory use to the principal residential use, on any property not located in the Old and Historic District and located entirely within the Old City District, where the zoning administrator, after reviewing an STR application, finds that the following requirements are met:
 1. The property shall not contain more than one (1) STR unit. Each unit shall consist of one or more rooms arranged for the purpose of providing sleeping accommodations for occupancy for one (1) to twenty-nine (29) consecutive days by up to by up to two (2) people per bedroom; and
 2. The subject property shall be located entirely within the Old City District and not within the ST Overlay Zone or the Old and Historic District; and
 3. The STR use shall be operated by the record owner of the subject property who shall also be qualified as a Resident of the subject property; and
 4. The STR shall provide one (1) off street, maneuverable parking space on the subject property for the first two (2) bedrooms, and one (1) additional maneuverable parking space on the subject property for each additional bedroom, in addition to providing, on the subject property, required off street parking for existing uses on the property. The parking space(s) provided for the STR shall not be situated in tandem with the required spaces for other uses; and
 5. The STR shall be located on property which is in compliance with allowed uses for the zone district in which the property is located; and

6. The STR use shall not create the need for exterior alterations to any building for the purpose of maintaining such accessory use; and
7. The applicant for the STR use shall not be someone who has had an STR permit revoked within the previous twenty-four (24) months.

Sec. 54-208.3. – Requirements for a Class 3 Short Term Rental, STR Permit for properties in all areas of the City except the Old and Historic District, the Old City District and the ST Overlay Zone.

- a. A Class 3 STR use may be established in a dwelling unit as an accessory to the principal residential use where the zoning administrator, after reviewing an STR application, finds that the following requirements are met:
 1. The subject property shall be located entirely outside the Old and Historic District, outside the Old City District and outside the ST Overlay Zone; and
 2. The number of STR guests on the property shall not exceed two (2) people per bedroom; and
 3. The size and character of the STR use must be subordinate and incidental to the principal residential use of the property; and
 4. The STR shall be operated by the record owner of the subject property who shall also be qualified as a Resident of the subject property; and
 5. The STR unit shall be located within a building constructed five (5) or more years ago; and
 6. The property shall provide the required number of maneuverable, off-street parking spaces for existing uses on the property. Additional off-street parking shall not be required for an STR use that does not include more than one (1) bedroom. If the STR use includes more than one (1) bedroom, the STR use shall provide one (1) off street, maneuverable parking space on the subject property for each additional bedroom, plus, required off street parking spaces on the subject property for existing uses on the property; and
 7. The STR use shall not create the need for exterior alterations to any building for the purpose of maintaining such accessory use; and
 8. The applicant for the STR use shall not be someone who has had an STR permit revoked within the previous twenty-four (24) months.

Section 54-208.4. Requirements for a Managed Short Term Rental, STR Permit for properties with a Class 1, Class 2, or Class 3 STR permit.

- a. General Requirements. A Residential Short Term Rental use with a Class 1, Class 2, or Class 3 STR Permit may also be permitted to operate as a Managed Short Term Rental for up to 72 nights each year, if the zoning administrator, after reviewing an application for a Managed STR, finds that the application meets the requirements of this section, and issues a permit for such Managed STR use.
 1. The property shall not contain more than one Managed STR unit, which shall be within the same dwelling unit approved for the Class 1, Class 2, or Class 3 STR Permit. Each unit shall consist of one or more rooms arranged for the purpose of providing sleeping accommodations for occupancy for one (1) to twenty-nine (29) consecutive days by up to two (2) people per bedroom; and
 2. The Managed STR shall provide one (1) off street, maneuverable parking space on the subject property for the first two (2) bedrooms, and one (1) additional maneuverable parking space on the subject property for each additional bedroom, in addition to providing, on the subject property, required off street parking for existing uses on the property. The parking space(s) provided for the Managed STR shall not be situated in tandem with the spaces required for other uses; and
 3. The STR use shall not create the need for exterior alterations to any building for the purpose of maintaining such accessory use; and
 4. The applicant for the STR use shall not be someone who has had an STR permit revoked within the previous twenty-four (24) months.
- b. Operational Requirements. In all cases, Managed STR uses shall adhere to the following operational requirements while being operated as a Managed STR:
 1. The Managed STR shall be managed by the record owner of the subject property who shall also be a Resident of the subject property, or a person who holds a valid Property Management License from the State of South Carolina who shall be designated by the record owner to operate the STR on the owner's behalf when the owner is not residing overnight at the subject property; and
 2. Such property shall not operate as a Managed STR for more than 72 nights in the year the permit for the Managed STR is valid; and
 3. Guests are restricted to occupying only the rooms that are designated within a dwelling on the approved permit for the Managed STR; and
 4. The property shall not contain signs advertising the STR use; and

5. No meals may be served to the paying guests by the manager; and
6. Such manager shall not be required to reside overnight at the subject property while managing the Managed STR; and
7. Such manager shall, at all times while managing a Managed STR, be available to respond to local or State public safety officers or other City officials within one hour of receiving notice from a public safety officer or City official, appear at the Managed STR to answer any complaint; and
8. The Resident owner of the subject property must keep in full force and effect during all times the STR is operated a general liability policy with a company authorized to do business in the State of South Carolina insuring against personal injury (including death) and property damage with limits of no less than \$1,000,000.00 per occurrence; and
9. Such manager shall keep a ~~current~~-guest register that includes all dates a property was operated as a Managed STR and the names, addresses, telephone numbers and dates of occupancy of all guests for 3 years and shall make this available to the City upon request; and
10. The Resident owner of the property shall comply with all business license and revenue collection laws of the City of Charleston, Berkeley County or Charleston County, whichever is applicable, and State of South Carolina; and
11. The owner or manager shall provide a rental packet containing applicable city rules and restrictions specified in the Managed STR Permit application materials, as well as pertinent unit safety information and contact information to guests when they book the STR and shall prominently display the STR Permit, rules, safety and contact information within the STR and such manager shall cause his or her name and telephone number to be posted on the subject property in a manner visible and legible from the street; and
12. Each Managed STR permittee is entitled to rent, list with a booking or listing service, advertise, make available for STR use, or otherwise market only one (1) STR unit; and
13. The Resident owner and the owner's agent shall list the Managed STR Permit number on all advertisements, listings with booking services, and marketing materials, including without limitation, Airbnb, VRBO/Homeaway, FlipKey, and any other online websites and listing or booking platforms or services.
14. The STR shall not be expanded in any respect beyond the specific rooms which were designated as part of a Managed STR unit on plans relied upon by the city in approving a Managed STR Permit or beyond the maximum number of guests listed on the Managed STR Permit, nor shall the use be changed to any other use not permitted by

the Zoning Ordinance without reapplication to and approval by the zoning administrator.

c. Application procedure.

1. New Applications. Applications for new Managed STR permits shall be notarized and include the following:

- (a) the location and name of the record owner of the property; and
- (b) an application fee; and
- (c) floor plans drawn to scale of the habitable structures on the property that clearly designate all rooms to be used by Managed STR guests, and the specific room or rooms to be used by guests for sleeping; and
- (d) a site plan of the lot drawn to scale showing the location of the proposed STR unit and the required off-street parking spaces and driveways; and
- (e) the location and name and contact information of the manager of the Managed STR; and
- (f) a statement which the Resident-owner and the manager must sign acknowledging that they have reviewed and understand the requirements of this Section.

Upon receiving a complete application and prior to the issuance of a new Managed STR permit, the zoning administrator shall cause notice to be posted on the property upon which the proposed Managed STR use is to be located for fifteen (15) consecutive calendar days, advising that the Resident-owner of the property has applied for a zoning permit to establish a Managed STR use at the location and supplying a phone number to call both the Manager and the Zoning Division or its successors for further information. During this fifteen (15) calendar day period, the zoning administrator shall determine if the application meets the requirements as set forth in this Section. If, at the end of the fifteen (15) day posting period, the zoning administrator determines that the application meets the requirements for the Managed STR use requested, the zoning administrator shall notify the applicant that the application is approved and shall, after waiting an additional five business days to allow for appeals, issue the Managed STR permit, which shall be valid for one (1) year from the date of issuance, and shall be renewable annually unless revoked. Any appeals filed within the five-day period shall cause the issuance of the STR permit to be stayed pending resolution of the appeal.

2. Annual Renewal.

(a) For renewal of a Managed STR permit, a property owner and Manager shall be required to recertify compliance with this Section for the STR use with the zoning administrator. An application for renewal of the Managed STR permit must include the application fee, an affirmation by the applicant that the nature of the STR use at the property has not changed, the Manager's record of nights he or she managed the STR in the previous year or the property owner's copy of such record if a new Manager is to be appointed, and must be notarized, filed with, and approved by the zoning administrator to continue the STR use.

(b) Upon a change in ownership of a property, and prior to the issuance of a new business license to allow continuation of an existing, permitted Managed STR use upon said property, the new property owner shall be required to recertify compliance with the applicable Residential STR Section and this Section and submit plans reaffirming the appointment of the Manager for the Managed STR unit with the zoning administrator. An application for recertification of the Managed STR use must include the required plans and be notarized, filed with, and approved by the zoning administrator prior to the STR use by the new property owner.

3. On an annual basis, the zoning administrator shall determine whether each Managed STR use permitted under this Section remains in compliance with all the terms of this ordinance, and shall initiate such enforcement procedures as may be appropriate. All property owners and Managers of Managed STR uses permitted under this Section shall cooperate fully with the zoning administrator and his designees, including, but not limited to, providing pertinent information upon request and affording access to that portion of the property which is used for the STR use for reasonable site inspections.

e. Violations and penalties.

1. Violations. It shall be a violation of this Section to:
 - (a) operate a Managed STR use without complying with the requirements of this Section and the Code of the City of Charleston; or
 - (b) expand a Managed STR without obtaining a new permit; or
 - (c) advertise a property as being available for a Managed STR use without first complying with the requirements of this Section; or
 - (d) represent oneself as a manager of a Managed STR without first complying with the requirements of this Section; or
 - (e) operate or manage a Managed STR for more than 72 nights of rental during the year in which the Managed STR permit is valid; or

(f) fail to post the name and telephone number of the manager in a manner visible and legible from the street while the property is being managed.

2. Penalties. A violation of this Section is a misdemeanor punishable by a fine and/or incarceration. Owner and manager are both individually liable for a violation by the other. Each day the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, use, or other violation under this Section continues is considered a separate offense. Any violation of this Section entitles the zoning administrator to revoke both the Managed STR permit and the STR permit.

Should the STR or Bed and Breakfast use fail to continue to meet the requirements under which it was authorized or be discontinued for a period of twelve (12) months or more, the operating permit issued pursuant to this Section shall be revoked.

Section 9. Sec. 54-211 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting "short term rentals" immediately after "bed and breakfasts" in subsection a., 1.

Section 810. Sec. 54-220 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting at the end, a new subsection to read as follows:

"c. Violations and penalties.

Violations. It shall be a violation of this Chapter for an owner, his agent or manager to operate an accommodations use without complying with the requirements of this Chapter and the Code of the City of Charleston. It shall be a violation of this Chapter to expand an approved accommodations use without obtaining a new permit, or to advertise a property as being available for an accommodations use without first complying with the requirements of this Chapter. It shall be a violation of this Chapter to submit for advertising, marketing, representing or otherwise holding out an accommodations unit as being available for use or occupancy unless the accommodations unit has been approved pursuant to this Chapter. It shall be a violation of this Chapter to submit for advertising, marketing, representing or otherwise holding out more accommodations type units on a property than have permitted pursuant to this Chapter.

Penalties. A violation of this Chapter is a misdemeanor punishable by a fine and/or incarceration. Each day the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues is considered a separate offense."

Section 911. Sec. 54-224 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the words “bed and breakfast” to “Residential Short Term Rental”.

Section 1012. Article 2, Part 5 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting Section 54-227 in its entirety and substituting in its place and stead the following:

Sec. 54-227. - Short Term Rental, ST Overlay Zone.

- a. Intent. The Short Term Rental, ST Overlay Zone is intended to identify those areas within the City limits where Commercial Short Term Rental uses and Bed and Breakfast uses, as herein defined, are allowed as a conditional use. Commercial Short Term Rentals are prohibited except on commercially zoned properties within the ST Overlay Zone. Bed and Breakfast uses are prohibited except on properties within the ST Overlay Zone. The City places a high value on the preservation of the character of its residential neighborhoods. Potential negative impacts affecting residential neighborhoods shall be avoided or minimized to the greatest extent possible.
- b. Commercial Short Term Rental Use.
 1. Accommodations Use. Subject to the conditions in Section 54-227, b. 2, a dwelling unit converted into a Commercial Short Term Rental may be rented to one (1) family for a period of between one (1) and twenty-nine (29) days; provided, however, only one (1) family at a time may occupy and use a dwelling unit converted into a commercial short term rental.
 2. Conditions. A conforming or legal nonconforming dwelling unit may be converted into a Commercial Short Term Rental only when all of the following conditions are satisfied, as evidenced by an application, a site plan, and floor plans:
 - (a) The lot is located entirely within one or more of the following base zoning districts: CT, LB, GB, UC, MU-1, MU-1/WH, MU-2, or MU-2/WH; and

- (b) The lot is located entirely within the Short Term, ST Overlay Zone, as shown on the Zoning Map; and
 - (c) The dwelling unit being converted to a Commercial Short Term Rental is not designated as an affordable housing unit or a workforce housing unit; and
 - (d) The owner of the dwelling unit being converted into a Commercial Short Term Rental complies with all business license and revenue collections laws of the City of Charleston, Charleston County and the State of South Carolina; and
 - (e) Any commercial uses on the lot must be completely separate and independent operations, unrelated to the Commercial Short Term Rental; and
 - (f) There are no common areas or other areas serving more than one dwelling unit and/or Commercial Short Term Rental on the lot, except driveways; and
 - (g) There are no exterior signs for the Commercial Short Term Rental use of the lot; and
 - (h) Existing parking spaces on the lot, if any, that satisfy the off-street parking requirements of this Chapter for the existing dwelling units being converted to Short Term Rentals and all other uses on the lot shall be shown on the site plan submitted with the application. No additional parking spaces shall be required for the dwelling units being converted to Short Term Rentals; and
 - (i) No more than nine (9) dwelling units may be converted to short term rentals on any one (1) lot. Ten (10) or more short term rental units on one (1) lot shall require approval as an accommodations use pursuant to Section 54-220 of the Zoning Ordinance. This provision shall not be interpreted to permit an increase in the maximum density permitted under the base zoning district for dwelling units on the lot; and
3. Except as expressly stated otherwise in this Section 54-227, a dwelling unit converted into a Commercial Short Term Rental shall continue to be subject to the regulations for such a dwelling unit in the base zoning district, including without limitation the site regulations in Article 3 of the Zoning Ordinance.

4. Impact on Nonconforming Uses. For the purposes of applying Section 54-110 concerning nonconforming uses, a Commercial Short Term Rental is considered a continuation of the nonconforming use of a legal nonconforming dwelling unit.
 5. Prohibition on Construction of Commercial Short Term Rentals. Nothing in this Section 54-227 shall be construed to permit a property owner to construct a Commercial Short Term Rental. A property owner seeking a conditional use for a Commercial Short Term Rental must construct a dwelling unit in accordance with applicable standards for the dwelling unit under the base zoning district for the subject property and then apply for the conversion of the conforming dwelling unit to a Commercial Short Term Rental use.
 6. Approved short term rentals within the ST Overlay Zone. All STR uses within the ST Overlay Zone that have City approval to operate on the effective date of this ordinance shall be issued a Commercial STR Permit, which shall be valid for one (1) year from the date of issuance and shall be renewable annually unless revoked. Permit holders shall adhere to the requirements of this Chapter.
 7. New short term rentals within the ST Overlay Zone, permit. New STR uses within the ST Overlay Zone that receive City approval to operate shall be issued a Commercial STR Permit, which shall be valid for one (1) year from the date of issuance, and shall be renewable annually unless revoked. Permit holders shall adhere to the requirements of this Chapter.
 8. Annual Renewal. For renewal of a Commercial STR Permit, a property owner shall be required to recertify compliance with this Section with the zoning administrator. An application for annual recertification of the Commercial STR Permit must include the application fee, an affirmation by the applicant that the nature of the STR use at the property has not changed, and must be notarized, filed with, and approved by the zoning administrator to continue the STR use.
- c. Bed and Breakfast Use
1. Accessory Use. Subject to the conditions in Section 54-227, c., 2, a Bed and Breakfast use may be established in a dwelling unit as an accessory to the principal residential use, on any property located within the ST Overlay Zone, and each approved bed and breakfast unit may be rented to one (1) family for a period of between one (1) and twenty-nine (29) consecutive days.

2. Conditions: A Bed and Breakfast may be approved only when all of the following conditions are satisfied, as evidenced by an application, a site plan, and floor plans:
- (a) The number of Bed and Breakfast units shall not exceed four (4) units; except that a lot may have between four (4) and ten (10) bed and breakfast units if the total square footage of conditioned floor area in the building or buildings containing the bed and breakfast units is equal to or greater than the sum of the number of bed and breakfast units multiplied by 560, and all other requirements of this section are met. Each unit shall consist of one (1) or more rooms arranged for the purpose of providing sleeping accommodations for one (1) family for a period of between one (1) and twenty-nine (29) consecutive days; and
 - (b) The subject property is located entirely within the ST Overlay Zone; and
 - (c) The Bed and Breakfast shall be operated by the record owner of the subject property who also resides at the subject property at least 183 days each year; and
 - (d) The principal building on the property on which the Bed and Breakfast use will be located shall have been constructed 50 or more years ago although the Bed and Breakfast unit(s) may be located in a building that was not constructed 50 or more years ago; and
 - (e) Bed and Breakfast unit(s) located in buildings constructed 50 or more years ago shall provide one (1) off street, maneuverable parking space on the subject property for each two (2) Bed and Breakfast units, or fraction thereof. Bed and Breakfast unit(s) located in buildings not constructed 50 or more years ago shall provide one (1) off street, maneuverable parking space on the subject property for each Bed and Breakfast unit. Spaces required for the Bed and Breakfast unit(s) shall be in addition to providing, on the subject property, required off street parking for existing uses on the property; and
 - (f) The property shall be permitted to have one sign advertising the Bed and Breakfast. The permitted sign may have a maximum of two sides and no side shall exceed four (4) square feet in total sign face area; and

- (g) The Bed and Breakfast shall be located on property which is in compliance with allowed uses for the zone district in which the property is located; and
 - (h) The Bed and Breakfast shall be operated by someone who has not had a bed and breakfast permit revoked within the previous twelve (12) months.
3. Operational requirements. In all cases, Bed and Breakfast use shall meet the following operational requirements:
- (a) No meals other than breakfast may be served by the Resident owner to the paying guests.
 - (b) The Resident owner shall keep a ~~current~~-guest register including names, addresses, telephone numbers and dates of occupancy of all guests for 3 years and shall make this available to the City upon request.
 - (c) The Resident owner shall comply with all business license and revenue collection laws of the City of Charleston, Charleston County and State of South Carolina.
4. Application process.
- (a) New Applications for Bed and Breakfast uses shall be notarized and include the location of the property and Resident owner of record of the property, an application fee, floor plans drawn to scale of the habitable structures on the property, a site plan of the lot showing the location of the proposed Bed and Breakfast units, the location of any existing Bed and Breakfast units, and the location of the required off-street parking spaces and driveways, and photographs of the current principal views of the structure where the proposed Bed and Breakfast units are to be located. The floor plans shall clearly note all rooms to be used by Bed and Breakfast guests, with the room or rooms to be used by Bed and Breakfast guests for sleeping designated. The application shall also include a statement which the Resident-owner must sign acknowledging that he or she has reviewed and understands the requirements of this Section.
- Upon receiving a complete application and prior to the issuance of a zoning permit, the lot upon which the proposed use is to be located shall be posted for fifteen (15) consecutive days, advising that the Resident-owner of the property has applied for a zoning permit to establish a Bed and Breakfast use at the

location and supplying a phone number to call for further information. During this fifteen (15) calendar day period, the zoning administrator shall determine if the application meets the requirements as set forth above. If, at the end of the fifteen (15) day posting period, the zoning administrator determines that the application meets the requirements, the zoning administrator shall notify the applicant that the application is approved and shall, after waiting an additional five business days to allow for appeals, issue the zoning permit, which shall be valid for one (1) year from the date of issuance and shall be renewable annually unless revoked. Any appeals filed within the five-day period shall cause the issuance of the zoning permit to be stayed pending resolution of the appeal.

(b.) Renewal Application.

(1) For renewal of a Bed and Breakfast permit, a property owner shall be required to recertify compliance with this Section with the zoning administrator. An application for annual recertification of the Bed and Breakfast permit must include the application fee, an affirmation by the applicant that the nature of the Bed and Breakfast use at the property has not changed, and must be notarized, filed with, and approved by the zoning administrator to continue the Bed and Breakfast use. *(new annual renewal policy)*

(2) Upon a change in ownership of a property, and prior to the issuance of a new business license to allow continuation of an existing, permitted Bed and Breakfast use upon said property, the new property owner shall be required to recertify compliance of the Bed and Breakfast use with the zoning administrator by having an application for recertification of the Bed and Breakfast use notarized, filed with, and approved by the zoning administrator.

5. The Bed and Breakfast use shall not be expanded in any respect throughout the structure or structures, or elsewhere on the property nor shall the use be changed to any other use not permitted by the Zoning Ordinance without reapplication to and approval by the zoning administrator.
6. All operators of Bed and Breakfast uses permitted under this section shall cooperate fully with the zoning administrator and his designees, including, but not limited to, providing pertinent information upon request and affording access to that portion of the premises which is used for the Bed and Breakfast use for reasonable site inspections.

7. Existing Approved and Bed and Breakfast uses. All approved, legal Bed and Breakfast uses that are operating on the effective date of this ordinance or that are entitled to be in operation on the effective date of this ordinance shall be issued a Bed and Breakfast Permit which shall be valid for one (1) year of issuance and shall be renewable annually unless revoked and shall adhere to the requirements of this Chapter.

d. Violations and penalties.

1. Violations. It shall be a violation of this Chapter for an owner, his agent or manager to:
 - (a) operate an STR use, a Bed and Breakfast use or other accommodations use without complying with the requirements of this Chapter and the Code of the City of Charleston; or
 - (b) expand an STR use or Bed and Breakfast use without obtaining a new permit; or
 - (c) advertise a property as being available for an STR use, Bed and Breakfast use or other accommodations use without first complying with the requirements of this Chapter; or
 - (d) represent or submit for advertising or marketing, or to otherwise hold out an STR unit, Bed and Breakfast unit or other accommodations unit as being available for use or occupancy unless the STR or Bed and Breakfast has been permitted pursuant to this Chapter and the permit number is displayed in the materials used to represent, advertise, market or otherwise hold out the property as available for STR or Bed and Breakfast use or occupancy; or
 - (e) represent or submit for advertising or marketing, or otherwise to hold out the availability of an STR or Bed and Breakfast for use or occupancy by more than the number of occupants that are permitted pursuant to this Chapter; or
 - (f) represent or submit for advertising, or marketing, or to otherwise hold out more STR or Bed and Breakfast units or other accommodations type units on a property than are permitted pursuant to this Chapter.
2. Penalties. A violation of this Chapter is a misdemeanor punishable by a fine and/or incarceration. Each day the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, use, or other violation under this Chapter continues is considered a separate offense. Any violation of this Chapter entitles the zoning administrator to revoke the STR or Bed and Breakfast permit.

Should the STR or Bed and Breakfast use fail to continue to meet the requirements under which it was authorized or be discontinued for a period of twelve (12) months or more, the operating permit issued pursuant to this Chapter shall be revoked.

Section 11.13. Table 3.3: Off-Street Parking Requirements, of Sec. 54-317 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the wording “and short term rentals” at the end of the parking requirement for “Accommodations uses” so that this reads “Accommodations uses, except for bed and breakfasts and short term rentals”. Table 3.3 is further amended by deleting, in its entirety, the listing “Bed and breakfasts” under the use column, and the requirement of “1 per bed and breakfast unit” under the column for number of spaces required.

Section 12.14. Severability. It is hereby declared to be the intent of City Council that the sections, paragraphs, sentences, clauses and phrases of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, ~~and 11, 12, and~~ 13 are severable, and if any section, paragraph, sentence, clause or phrase of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, ~~and 11, 12, and~~ 13 be declared unconstitutional or invalid by a valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, ~~and 11, 12, and~~ 13 since the same would have been enacted without the incorporation in this Section of the unconstitutional or invalid section, paragraph, sentence, clause or phrase.

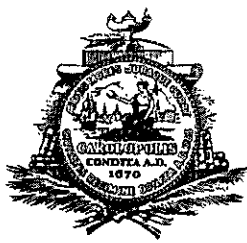
Section 1315. This ordinance shall become effective 90 days after ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord, 2018,
and in the ____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council




I(a)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor 

DATE: February 20, 2018

RE: Municipal Golf Course Commission Appointment

The Municipal Golf Course Commission comprises thirteen (13) members. The members shall consist of: three (3) of the members so appointed shall be members of city council; at least one member shall be a current junior player; at least one member shall be a member-at-large; at least one person considered for membership shall be a member of the Jenkins Links Golf Association, and one shall be appointed upon the nomination of the Edisto Realty Company or its successors in title.

The purpose of this appointment is to fill a position vacated by a former Councilmember. Councilmember Harry Joseph Griffin is an avid golf fan who is invested in the success of the Municipal Golf Course.

The following is my recommendation for the Municipal Golf Course Commission:

- Harry Joseph Griffin – City Councilmember – replacing former Councilmember Dean Riegel



City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

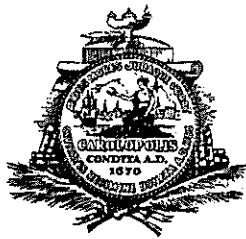
TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor *JAT*
DATE: February 20, 2018
RE: History Commission Appointments

The Commission on History consists of thirteen (13) members, two of whom shall be members of city council. Consideration shall be given to professionals in and to persons demonstrating knowledge of and appreciation for the fields of history, preservation, and historical curatorship. Members of the Commission shall serve for a term of one year or until their successors have been appointed and qualified.

An ordinance was passed that set the commencement date for terms of boards and commissions to March 1st and to establish staggered terms. Staggered terms are beneficial as they provide for a degree of continuity as members are replaced by new appointments.

The following are my recommendations for the Commission on History:

- Robert Mitchell – **New Appointment** – (City Councilmember) – one-year term
- Harry Griffin – **New Appointment** – (City Councilmember) – one-year term

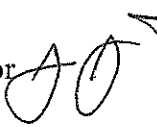


I(c)

City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers
FROM: John J. Tecklenburg, Mayor 
DATE: February 20, 2018
RE: Commission on Women Appointments

The commission for women shall be comprised of fifteen (15) members. Individuals from the following groups shall be appointed to the commission; any one member of the commission may be representative of more than one group: (1) Homemakers; (2) Indigent women; (3) Civic workers; (4) Non-professional working women; (5) Women with legal expertise; (6) Young women; (7) Social service workers; (8) Senior citizens; (9) Educators. The commission shall also include a member of city council, appointed by the mayor with the approval of city council.

An ordinance was passed that set the commencement date for terms of boards and commissions to March 1 and to establish staggered terms. Staggered terms are beneficial as they provide for a degree of continuity as members are replaced by new appointments.

The following are my recommendations for the Commission on Women:

- Jennet Alterman – **Appointment** – (Represents Non-professional working) – three-year term
- Kara Hicks – **Appointment** – (Represents Senior Citizens) – three-year term
- Lydia Cotton – **Appointment** – (Represents Indigent Women) – three-year term
- Megan S. Goettsches – **Appointment** – (Represents Educators) – three-year term
- Lakilya Hill – **Appointment** – (Represents Young People) – three-year term
- Anne Siegfied – **Appointment** – (Represents Non-professional working) – two-year term
- Ali Titus – **Appointment** – (Represents Homemakers) – two-year term
- Maria Kiehling Brees – **Appointment** – (Represents Legal Expertise) – two-year term
- Kimberly J. McCollum – **Appointment** – (Represents Social Services) – two-year term
- Jennifer L. Brown – **Appointment** – (Represents Social Services) – two-year term
- Nick Mercer – **Appointment** – (Represents Young People) – one-year term
- Antoinette Barnes – **Appointment** – (Represents Civic Workers) – one-year term
- Denise M. Fugo – **Appointment** – (Represents Educators) – one-year term
- Janet Segal – **Appointment** – (Represents Civic Workers) – one-year term
- Andrea Schenck – **Appointment** – (Represents Indigent Women) – one-year term
- Carol Jackson – **New Appointment** – (City Council Member) – one-year term



City of Charleston

JOHN J. TECKLENBURG
MAYOR

MEMORANDUM

TO: City Councilmembers

FROM: John J. Tecklenburg, Mayor *JJ*

DATE: February 20, 2018

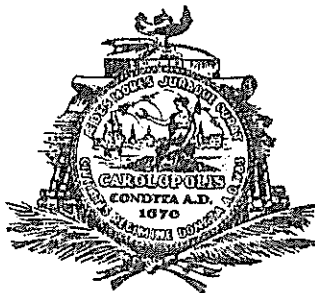
RE: Appointment to Charleston Area Transportation Study Policy Committee

The Berkeley-Charleston-Dorchester Council of Governments (BCDCOG) is the designated Metropolitan Planning Organization (MPO) responsible for carrying out the urban transportation planning process for the Charleston Area Transportation Study (CHATS). The CHATS MPO study area boundary includes over 800 square miles in the region. The primary responsibilities of any MPO are: 1) develop a Long Range Transportation Plan, which is, at a minimum, a 25-year transportation vision for the metropolitan area; 2) develop a Transportation Improvement Program (TIP), which is the agreed-upon list of specific projects for which federal funds are anticipated; and 3) develop a Unified Planning Work Program (UPWP), which identifies in a single document the annual transportation planning activities that are to be undertaken in support of the goals, objectives and actions established in the Long Range Transportation Plan.

CHATS is governed by a Policy Committee Board representing governmental and transportation-related organizations from throughout its coverage area.

The following is my recommendation for the CHATS Policy Committee:

- Marvin Wagner – **New Appointment** – (City Councilmember) – replacing Rodney Williams



Ratification
Number _____

AN ORDINANCE

TO AMEND THE CITY OF CHARLESTON CENTURY V 2010 COMPREHENSIVE PLAN UPDATE, ADOPTED BY CHARLESTON CITY COUNCIL ON FEBRUARY 22, 2011, TO INCORPORATE THE CHAPTER OVERVIEWS AND PLAN IMPLEMENTATION SECTIONS OF PLAN WEST ASHLEY, DATED DECEMBER 28, 2017, SAID OVERVIEWS AND IMPLEMENTATION SECTIONS BEING ATTACHED TO THIS ORDINANCE AS EXHIBIT A. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The City of Charleston Century V 2010 Comprehensive Plan Update, adopted by Charleston City Council on February 22, 2011, is hereby amended by incorporating therein the Chapter Overview and Plan Implementation Sections of Plan West Ashley, dated December 28, 2017, said Overviews and Plan Implementation Sections being attached to this Ordinance as Exhibit A and incorporated herein by reference.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2018,
and in the _____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

CHAPTER OVERVIEWS & IMPLEMENTATION SECTIONS

PLAN WEST ASHLEY



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2 COMMUNITY DESIGN & LAND USE

EXISTING CONDITIONS	2.4
COMMUNITY CONCERNS	2.16
VISION	2.18
IMPLEMENTATION	2.46

CHAPTER OVERVIEW

EXISTING CONDITIONS

- The vast area “west of the Ashley” includes land within the City of Charleston, Charleston County, and St. Andrews Public Service District (PSD). City and County boundaries in West Ashley are intermingled and confusing, presenting planning and service challenges.
- Settlement in West Ashley dates to 1670 (Charles Towne Landing). Development has generally progressed from the east to the west. The Post-War period saw rapid expansion of suburban bedroom communities and small businesses. In the 1970s, West Ashley’s commercial corridors became lined with shopping centers and strip malls.
- West Ashley’s aging commercial corridors contain building sites with the greatest opportunity for change and improvement.

COMMUNITY CONCERNS

- The West Ashley community wants to preserve its unique neighborhood character.
- West Ashley’s community character and identity is weakened by vacant strip malls, generic and aging shopping centers, and lack of identity at entryways.
- Many residents commute to work outside West Ashley, which contributes to traffic problems and decreases to quality of life.
- Many residents also are required to drive for shopping, dining, entertainment (particularly west of 526).
- There is a strong community belief that growth, particularly high density growth, happened in West Ashley without full regard to the infrastructure needed to support the growth and how this growth would impact the existing residential character.

VISION

Grow in the right places, in the right ways:

- Preserve neighborhood character; focus new development in clear, identified areas.
- Enhance community brand and identity.
- Reuse vacant commercial sites, and improve the character of those sites.
- Shorten trips with new work, entertainment, and recreation destinations.
- Provide better infrastructure to support the growing population.

IMPLEMENTATION

- Formally adopt the *Plan West Ashley* vision.
- Coordinate implementation activities with Charleston County, Regional and State planning bodies.
- Develop community engagement strategies to improve communication, education, and participation for residents around locally important community design and land use issues.
- Develop a set of urban design principles for key sites and corridors.
- Establish a joint City/County Design Review Board (DRB) for key commercial corridors.
- Establish a West Ashley Community Brand & Identity Committee.
- Pursue neighborhood preservation.
- Draft and adopt mixed-use regulatory standards to replace and modernize existing zoning, to guide new development on commercial corridors, entryways, and other focused priority progress areas.
- Enhance and beautify West Ashley gateways with appropriate signage and landscaping.
- Add streetscaping (landscaping, lighting, sidewalks, etc.) along key commercial corridors.
- Evaluate progress.

IMPLEMENTATION

The following steps can be taken to implement the vision for UPGRADING community design and land use.

Implementation should integrate data collection and analysis in all future project studies and improvements. Types of data may include traditional data and/or more sophisticated analytics as available.

Immediate Steps (first 2 years):

- *Formally adopt the Plan West Ashley vision.* The Plan West Ashley document establishes a vision to guide future infill, redevelopment, and preservation. A next logical step would be for the main ideas of the vision to be adopted, in concept, by the City of Charleston. This will send an important message to residents, property owners, and investors that the City and community support the vision and intend to implement the main concepts. This report can be used as a tool to evaluate new development proposals, future budgets for public improvements, and rezonings for consistency with the community vision.
- *Coordinate implementation activities with Charleston County, Regional and State planning bodies.* Regular Plan West Ashley meetings should be established between the City, County, Regional (Berkeley-Charleston-Dorchester Council of Governments) and State planning representatives. The purpose of meetings is to review development proposals for consistency with the Plan vision, coordinate on public infrastructure improvements, implement stormwater/drainage recommendations, and coordinate other implementation activities.
- *The City and County should develop community engagement strategies to improve communication, education, and participation for residents around locally important community design and land use issues.*
- *Develop a set of urban design principles for key sites and corridors.* Based on the illustrative vision depicted for key sites in Plan West Ashley, a set of principles can be established to inform new development and public improvements. For example, new buildings on key sites and corridors should contain a mix of uses, and front sidewalks, trails and open spaces, with parking located to the rear. Building setbacks, height and other design details should be calibrated based on context and location (for example, sites in outer West Ashley should have standards different from those east of I-526). Street improvements on key corridors should include connected sidewalks, street trees, appropriately-scaled lighting (pedestrian-scaled fixtures in walkable mixed-use centers), landscaping, and crosswalks at intersections. The principles can be used to inform and guide development and public improvements until new regulatory codes can be adopted.
- *Establish a joint City/County Design Review Board (DRB) for key commercial corridors.* The City has a DRB for commercial and multi-family projects but the County does not. Establishing consistency in regulation is key to predictable results. The joint DRB can use Plan illustrations as well as the urban design principles for key sites and corridors to inform decisions, until such time that new zoning standards can be put into place. A streamlined and improved approval process can be established, to provide more predictability for developers as well as community members.
- *Establish a West Ashley Community Brand & Identity Committee.* The purpose for this committee is to recognize and celebrate West Ashley's historic charm and quality neighborhoods as a unique area within the greater City of Charleston, and to work to improve community image and perception. This task can be undertaken as a coordinated effort of the Chamber of Commerce, the Convention and Visitors Bureau, and other regional agencies, and be coordinated with other City efforts. In the near-term, this task will include enhanced public and private clean-up efforts along commercial corridors. Guidance and other potential immediate and near-term action steps can be found in the opportunities and recommendations identified in 2015 *Community Perceptions Survey*, such as creating interactive maps of parks, greenways, and destinations, and establishing a merchant's association. Over time,

other goals such as implementing streetscape/beautification improvements, attracting diverse uses and services to West Ashley, and instituting design standards at entryways can be undertaken.

- *Pursue neighborhood preservation.* Some areas in inner West Ashley are eligible for historic designation. Pursuing official designation can provide additional protections for neighborhood form, character and architectural appearance.

Near-Term Steps (2 years – 5 years):

- *Draft and adopt mixed-use regulatory standards to replace and modernize existing zoning, to guide new development on commercial corridors, entryways, and other focused priority progress areas.* The vision for West Ashley's future land uses is for preservation of neighborhoods, and for strategic, focused land use interventions to create more areas similar to the existing neighborhood center for Avondale.

By establishing clear standards that support plan goals and provide a visual guide to design criteria, people can be assured that new development will be beneficial to community character.

As the first step, the City can create a detailed map of parcels/areas that would benefit from new regulatory standards; this can be based on the map found on pages 2.22 – 2.23, and include the areas of the Citadel Mall and West Ashley Circle. New standards for these areas should implement the urban design principles established for key sites and corridors. Future growth can be directed to these areas through new zoning standards that provide incentives for higher-density, mixed-use development in specific, targeted locations. Development rights at these targeted sites could include earned incentives similar to the Upper Peninsula Eco District zoning with entitlements earned by the developer.

Specific standards for Lowcountry architectural details and character (materials, proportions, scale, etc.) should be included. Further description of potential elements to include as part of new design standards is provided on page 2.30.

Street and public space design in new mixed-use centers should also be addressed as part of regulatory updates. Requirements and standards for new streets to subdivide large parcels, and for new community open spaces to accompany future development should be included. In addition, desired pedestrian-friendly street design elements for key corridors (sidewalks and crosswalks, street trees and landscaping, lighting and other streetscape elements) can be codified through adopted public realm standards.

This plan is not recommending a wholesale change of West Ashley's suburban development form. Much of West Ashley is envisioned to remain the same as it is today: quality single-family neighborhoods, served by auto-oriented commercial corridors. Inserting pockets of mixed-use, walkable development can change commute patterns (for at least some trips), providing jobs and other destinations closer to homes. Focused areas for new development, located based on study of existing built form and environmental systems, can strengthen economic development. The key is to map specific areas where a different urban form is desired, write land use regulations to guide private investments as they occur over time, and implement public investments (street design, public spaces) to support the changing built environment.

- *Enhance and beautify West Ashley gateways with appropriate signage and landscaping.* Gateway entries are along Savannah Highway, Ashley River Road, Sam Rittenberg Blvd., Old Towne Road, St. Andrews Blvd., and Folly Rd Blvd.
- *Pursue implementation of other transportation, green infrastructure, housing and economic development recommendations.* Important implementation ideas are found in other chapters of this document that relate to land use and community design. Implementation of these concepts can start in the near term and continue over the long term.
- *Transportation (Chapter 3):* Ideas to rethink street design on key corridors, including streetscape design (sidewalk, trees, medians)

and intersection crossings. Also, actions are recommended for connecting West Ashley Greenway to the Peninsula.

- *Green infrastructure (Chapter 4):* Requirements for green infrastructure should be incorporated into regulatory codes, to make each new development that occurs more resilient. Utilities should be undergrounded as part of redevelopment and streetscape improvements.
- *Housing choice (Chapter 5):* As part of new neighborhood centers, a mix of housing types is advocated, to give choices to residents and increase affordability.
- *Economic development (Chapter 6):* Ideas to encourage the reuse of vacant sites with a complete mix of uses, including workplaces.

Longer-Term Steps (5 years – ongoing):

- *Add streetscaping (landscaping, appropriately scaled lighting, sidewalks, curb and gutter, mast arms, etc.) along key commercial corridors.* Key corridors include Savannah Highway, Sam Rittenberg Blvd., Folly Road, Old Towne Road, St. Andrews Blvd., and Ashley River Road.
- *Evaluate progress.* At regular intervals (perhaps every 3 to 5 years), an evaluation should be conducted to check implementation progress, successes and failures. This evaluation should be led by the City, with participation from the County, BCDCOG, neighborhood councils, and other key stakeholders. The immediate and near-term strategies should be evaluated for effectiveness and re-prioritized for the next term. All aspects of the Plan, including community design and land use, transportation, infrastructure and sustainability, housing, and economic development, should be evaluated within the same timeframe. Members of the planning team could be invited to participate in the evaluation. New strategies can be developed, informed by experience and progress to date. The Plan West Ashley vision should be a “living” plan that is updated and used to guide future growth in sustainable forms for years to come.

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3 TRANSPORTATION

EXISTING CONDITIONS	3.4
COMMUNITY CONCERNS	3.16
VISION	3.18
IMPLEMENTATION	3.42

CHAPTER OVERVIEW

EXISTING CONDITIONS

- The street network in West Ashley is characterized by several large multi-lane state-owned thoroughfares that carry significant amounts of vehicle traffic, supplemented by local neighborhood-scale streets that are either state-, county-, and city-owned. The system is constrained in that there are limited river crossings (Ashley and Stono Rivers), with major employment centers located across the rivers outside of West Ashley. It is also physically constrained on many corridors from further widening due to lack of available right of way.
- CARTA provides several transit routes; with the exception of Route 2 (the express route) all routes operate on 60-minute headways, which may be inadequate to encourage a mode shift to transit during peak travel times or in high density areas. Frequency of service is also currently limited due to budgetary restraints.
- In 2008, Charleston City Council passed a Complete Streets Resolution geared toward creating a network of streets that allows all modes of transportation (bicycle, pedestrian, public transit and automobile travel). Currently, West Ashley's multi-lane highway corridors are inaccessible and unsafe for pedestrians and cyclists, creating barriers to mobility between neighborhoods and to parks, schools and services.
- West Ashley offers opportunities related to active transportation and increased transit usage, including moderately dense residential neighborhoods with nearby commercial districts, and the West Ashley Bikeway and Greenway trails.

COMMUNITY CONCERNS

- Participants at community input workshops expressed congestion and traffic as top concerns for residents in West Ashley today.
- The West Ashley community wants more/enhanced connections: complete I-526, extend Glenn McConnell Parkway, connect the neighborhoods.
- West Ashley needs more/enhanced water connections, which could include a pedestrian/bike bridge and/or a water taxi.
- The West Ashley Bikeway and Greenway should be connected.
- Pedestrian/bike facilities need to be upgraded to be a viable option: connect sidewalks/crosswalks, create separated bike lanes, make safety improvements.
- Transit needs to be upgraded to be a viable option: explore premium service (rail, LCRT, PRT), park-and-ride, express service, shuttle.

VISION

- West Ashley is envisioned to be CONNECTED: connected to the region and neighborhoods, connected to jobs and schools, connected to recreational activities, and connected to goods and services.
- The plan has two major areas of focus: addressing vehicular traffic congestion; and then, just as importantly, providing enhanced mobility options to stem the growth in car trips by getting a larger percentage of future trips to occur using shorter car trips, walking, biking and transit.

IMPLEMENTATION

- The vision of a better-connected West Ashley where residents and visitors can actually choose among varying modes of mobility is comprised of a multitude of specific projects and policy measures for vehicular, pedestrian, bicycle, and transit system improvements. Some of these initiatives have been in process for many years, including the completion of I-526, and are reiterated in this plan as part of the regional network enhancements that are being moved forward by multiple jurisdictions and entities.
- Detailed implementation recommendations are described on pages 3.40-3.46, including projects and policy recommendations. Many initiatives are coupled with land use changes to create more walkable mixed-use nodes. The nexus of a walkable, mixed-use land use pattern coupled with supporting transportation network can help realize the community vision.

IMPLEMENTATION

Transportation Plan Elements

The vision of a better-connected West Ashley where residents and visitors can actually choose among varying modes of mobility is comprised of a multitude of specific projects and policy measures. Some of these initiatives have been in process for many years, and are reiterated in this plan as part of the regional network enhancements that are being moved forward by multiple jurisdictions and entities, such as many of the Charleston County Sales Tax projects. Other initiatives are new services entirely, such as premium transit services (LCRT, LRT, PRT), new transit circulator services, new express bus services, and new water taxi services. Many initiatives represented in this plan are “tweaks” on existing corridors: initiatives such as the addition or completion of a shared use path along a major traffic artery, filling missing gaps in the pedestrian or bicycle network, or providing better intersection configurations for all modes of travel. This plan also seeks to add definition to ongoing initiatives; for instance, there is currently a sales tax project to retrofit complete streets elements along Savannah Highway, and this plan defines what set of enhancements should be included to give Savannah Highway more of a complete street character.

The plan elements are summarized in the following manner: projects and policy recommendations according to timeframe anticipated to accomplish (immediate, near-term, and longer term). Projects are summarized by a description, interim and eventual outcomes, and the process for implementation. Many initiatives are coupled with land use changes to create more walkable mixed-use nodes, as community participants expressed, more “little Avondales” throughout West Ashley. The nexus of a walkable, mixed-use land use pattern coupled with supporting transportation network can help realize this community vision. Proposed improvements (complete streets, landscape islands, land-use) are meant to provide mobility options, and should not significantly increase congestion.

Implementation should integrate data collection and analysis in all future project studies and improvements. Types of data may include traditional data (counters, surveys, demographics), mobility analytics, predictive analytics, and/or future analyses not yet developed.

below: Potential streetscape and crossing enhancement between the Greenway and the Bikeway.



Immediate Steps (first 2 years):

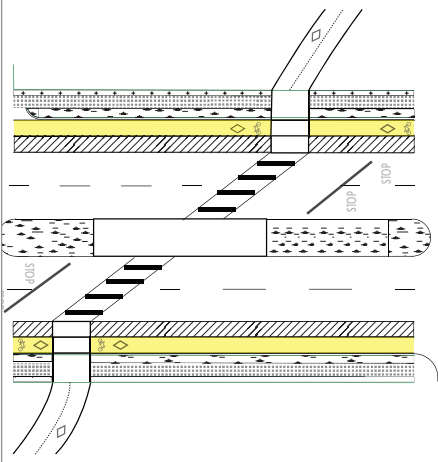
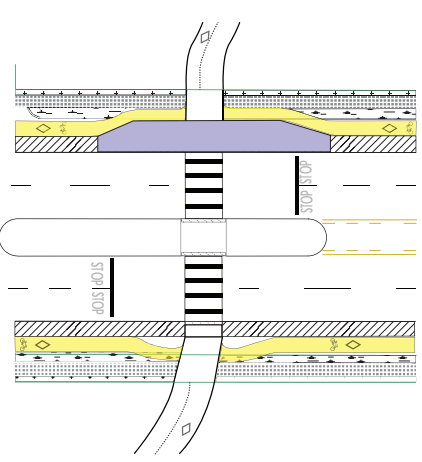
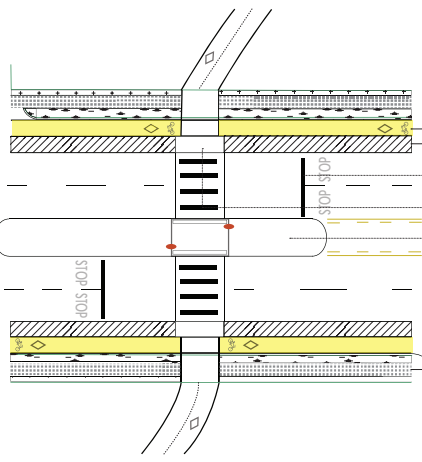
These initiatives could happen in the very near term, and certainly within an 18-24 month timeframe maximum, depending on funding and regulatory constraints.

Immediate Policies/Studies:

- Develop design guidelines for the West Ashley Greenway and West Ashley Bikeway to provide guidance in amenitizing and expanding the system to allow it to become a transportation facility in addition to a recreational facility.
- Prepare a feasibility study for potential federal grant projects, such as Transportation Investment Generating Economic Recovery (TIGER) grants.
- Evaluate access management strategies to include strategic consolidation and/or elimination of driveways and medians along major arterials/roadways (i.e. US 17, St. Andrews Blvd., Sam Rittenberg Blvd., etc).
- Develop community engagement strategies to improve communication, education, and participation for residents around locally important transportation issues.

Immediate Projects:

- Install amenities at all current bus stops such as benches, shelters, and signage.
- Implement St. Andrews Boulevard shuttle circulator service.
- Conduct a data driven feasibility study to determine the viability of a private water taxi service to connect West Ashley to the Charleston peninsula. If warranted, initiate an RFP process for the water taxi provider.
- Provide enhanced high visibility pedestrian and bicycle crossings on St. Andrews Blvd. for the West Ashley Bikeway.
- Provide enhanced high visibility pedestrian and bicycle crossings on Folly Road Boulevard for the West Ashley Greenway.
- Install crosswalks where they are missing at all signalized intersections, all four approaches (include accessible ramps, where needed).
- Evaluate the need for midblock pedestrian crossings (where signalized intersections are more than 1/2 mile apart) and the demand is evident based on complementary land uses, schools, places of worship, trailheads or transit stops.
- Reduce speed limits to no more than 35 MPH on arterial streets and 20 MPH on residential streets and provide traffic calming on streets with a demonstrated safety problems. (Prioritize Savannah Highway, Sam Rittenberg Blvd., Old Towne, and St Andrews Blvd.)
- Evaluate and optimize signal timing to provide for consistent pedestrian phases and achieve target speeds within the West Ashley boundaries; re-evaluate on an annual or biannual basis.

Concept 1	Concept 2	Concept 3
		
<p>Switch the bike lane and buffer zone; Create the median; HAWK Signals.</p>	<p>Switch the bike lane and buffer zone; Create the median; HAWK Signals. Reshape the bikeway geometry path. Create a landing island.</p>	<p>Switch the bike lane and buffer zone; Create the median; HAWK Signals. Reshape the bikeway geometry path. Add a bicycle signal.</p>

above: Proposed designs for crossing of the West Ashley Bikeway at St. Andrews Boulevard developed by the City of Charleston.

below: Potential Water Taxi crossing / landing areas for the interim/immediate bike/pedestrian river crossing.



Near-Term Steps (2 years – 5 years):

The set of near-term initiatives are items that could be implemented within the next 2-5 year timeframe, contingent on funding availability and other constraints. Some of these initiatives would require additional study as noted; those studies could be conducted in the interim timeframe.

Near-Term Policies/Studies:

- Gather local and regional commuter data and analyze. By understanding the travel patterns of commuters in West Ashley and the environs, decision-making for commuter-gearred enhancements such as premium transit services such as LCRT/LRT and PRT can be effectively evaluated and the appropriate services chosen.
- Complete a Regional Transit Feasibility Study and Regional Transit Framework Plan. A study of transit needs and demands for West Ashley and the surrounding areas can help determine new regional (LCRT/LRT/PRT) services and the appropriate technologies as well as set these initiatives up for federal funding through the Federal Transit Administration (FTA).
- Evaluate potential for dedicated high occupancy vehicle and transit lanes (Liberty Lanes) on existing major corridor roadways such as Savannah Highway and Sam Rittenberg Blvd. (also known as LCRT light, City of Toronto uses these lanes in downtown to maximize effectiveness of the street system). Study the impacts of converting an outside lane to an HOV or transit lane at some point in the future by monitoring not only traffic volumes but also transit ridership and bicycle and pedestrian counts within the corridors, and determine at what point in time consideration could be given to converting a lane to this type of use.
- Develop and adopt land use and zoning code modifications that allow for mixed-use land uses and intensification of land uses along critical transit streets/corridors (see Chapter 2).
- Develop and adopt design guidelines and development regulations that require livable development principles.
- Develop and adopt parking regulations that minimize auto dependency by mandating travel demand management techniques be applied prior to increasing additional parking on any given site.
- Develop and adopt a Vision Zero policy that targets the elimination of all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all.
- Integrate data collection and analysis in all future project studies and improvements. Types of data may include traditional data (counters, surveys, demographics), mobility analytics, predictive analytics, and/or future analyses not yet developed.

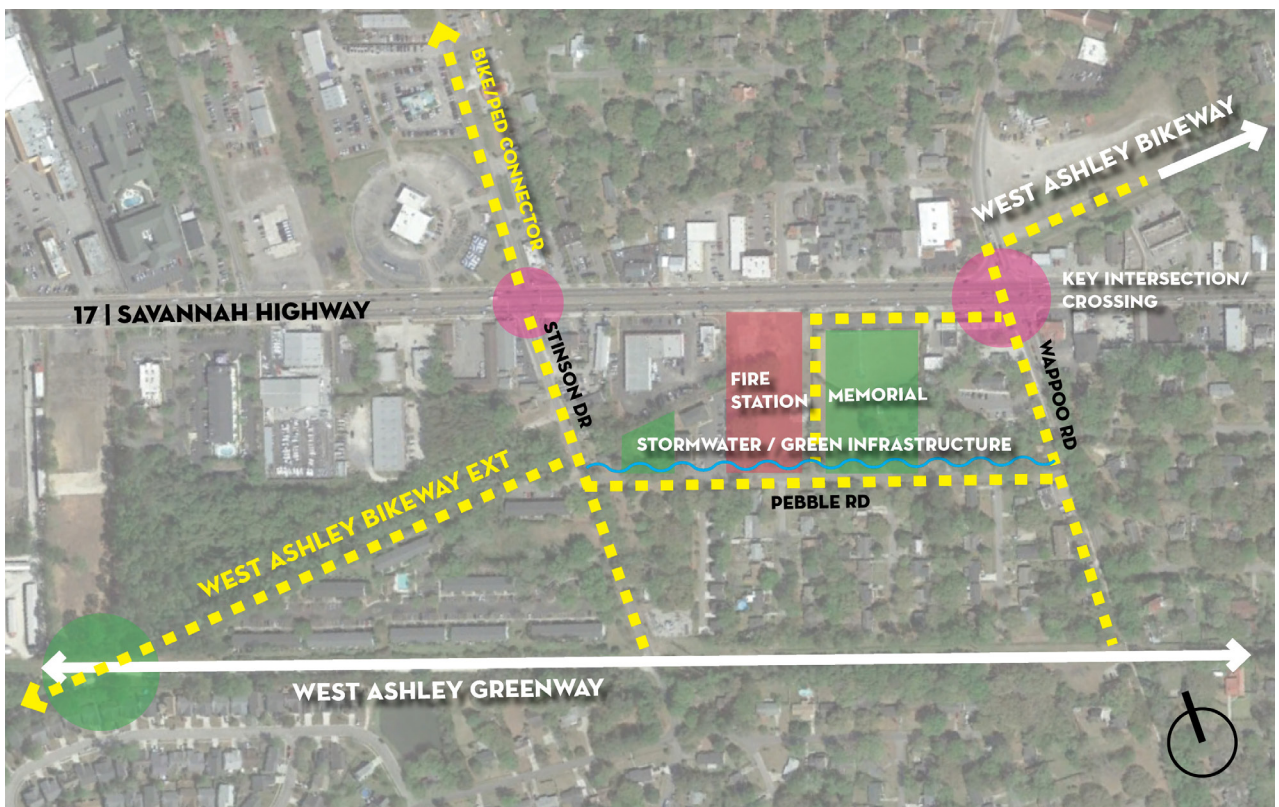
Near-Term Projects:

- Implement Charleston County 1/2 cent sales tax transportation projects.
- Evaluate/provide a physical connection between West Ashley Greenway and the Peninsula via a bridge, using existing infrastructure, a cantilevered structure, or a new standalone facility.
- Reconfigure intersection of Sam Rittenberg and Old Towne Road. A Charleston County study to determine the configuration of this intersection is just starting, and the redevelopment proposal for the Piggly Wiggly site which was recently acquired by the City and studied during this process should drive the ultimate configuration of the intersection reconfiguration.
- Reduce headways on CARTA express routes from 30 to 15 minutes in the peak hours; reduce regular headways from 60 minutes to 30 minutes on regular routes as travel demand, funding, and land use densities allow.



above: Potential improvements to the West Ashley Bikeway related to developing design guidelines for the West Ashley Greenway and West Ashley Bikeway. Improvements may include wayfinding, site furniture, green infrastructure, lighting, trail dimensions, etc.

below: Potential connectivity options for the West Ashley Greenway to the West Ashley Bikeway at Wappoo Road.



Near-Term Projects (Continued):

- Install or complete continuous shared use paths on major corridors: Savannah Highway, Sam Rittenberg Blvd., Old Towne Road, St. Andrews Blvd., Ashley River Road, Glenn McConnell Parkway, Bees Ferry Road, and Folly Road Blvd.
- Connect West Ashley Greenway to West Ashley Bikeway at Wappoo Road. As the West Ashley Greenway and Bikeway become a true transportation corridor for West Ashley beyond simply a recreational facility, it is important to close the gap that currently exists between these facilities. This connection includes the Savannah Highway crossing enhancements as well as on and off-road connectors between the two facilities in the area.
- Create a mobility hub at Citadel Mall; enhance transit services and connections at this location. A redevelopment illustration for this area is in Chapter 2, and can guide the street network configuration in this location. It is anticipated that this mobility hub would include stops/transfers among express bus, local bus routes, and the proposed shuttle circulators. It would also include an enhanced park-and-ride facility, shared mobility providers such as bikeshare, carshare opportunities, curb space for Uber/Lyft drop zones, and eventually connections to any premium transit services such as LCRT/LRT/PRT.
- Create mobility hub at West Ashley Circle; enhance transit services and connections at this location. The approach here would be similar to that at Citadel Mall.
- Implement express bus service to Boeing/Airport and Leeds Avenue. A study of the travel patterns of commuters should be conducted to determine the feasibility of expanding the existing express bus service.
- Implement a pedestrian/bike scale destination based wayfinding system to connect residents and visitors to major commercial destinations, parks, greenways, schools, and civic destinations.
- Install spot center medians and/or consolidate driveways for access management, streetscape enhancement, crossing enhancements (high visibility crosswalks, smaller curb radii and elimination of high-speed slip/turn lanes), sidewalk enhancements, and access management on roadways slated for Complete Street and Beautification Projects through the Charleston County Sales Tax program: Savannah Highway, Sam Rittenberg Blvd., Ashley River Road, and Old Towne Road. St Andrews Boulevard and Folly Road Boulevard should include similar improvements.
- Install adaptive controls for real-time adjustments (or current state of the art technology at the time of implementation) to signal timing along major corridors. In addition to being responsive to changing traffic conditions to aid in reducing congestion during peak times, the installation of this technology will allow transit to operate more efficiently and allow more premium services such as express buses to utilize signal preemption and queue-jumping. Similar technology is already in use in the region on Johnnie Dodds Boulevard in Mount Pleasant.
- Reconfigure intersection of 5th Avenue and St. Andrews Boulevard to provide safe vehicle and pedestrian access and crossing opportunities.
- Provide a canal walk pedestrian/bike crossover of Tiger Sump (see page 4.52).

Longer-Term Steps (5 years – ongoing):

These initiatives are much longer-range in scope and unlikely to be implemented within a 10-year timeframe due to constraints related to funding and regulatory controls. Projects in this group are much higher cost but also greater impacts and benefits.

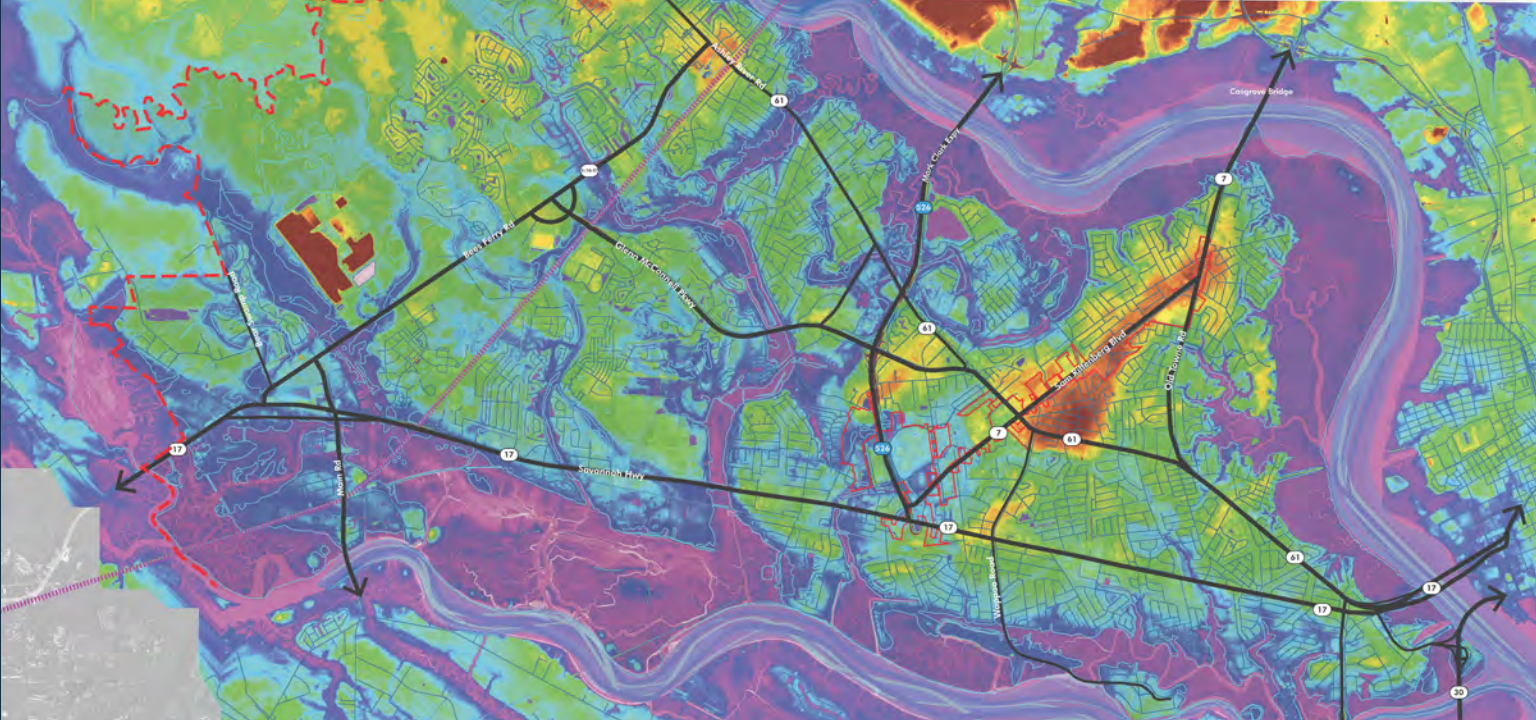
Longer-Term Policies/Studies:

- Complete a District-Wide (to include West Ashley, Johns Island, and Johns Island) Traffic Management Study. Develop a scenario-based study focused on current and future trends related to traffic in the West Ashley Area and the impacts of implementation of various mobility-focused measures such as enhanced transit, premium transit such as LCRT/LRT/PRT, regional roadway initiatives such as I-526 and the Glenn McConnell extension, and an enhanced bike/ped network such as the connection of the West Ashley Bikeway and Greenway and connections across the rivers via either one or both of the existing bridges and water taxi. The study would also measure the impacts of various land use scenarios such as a continuation of the existing trend of auto-oriented isolated single use developments, a scenario where mixed use walkable nodes were located in strategic locations as envisioned in this plan, and any other applicable scenarios.
- Complete a District-Wide (schools serving West Ashley residents) School Accessibility and Circulation Plan. Develop a plan to determine what access enhancements are needed for schools within West Ashley and how they are served by the transportation elements of *Plan West Ashley*. Improvements may include staggering school start times, improved bus services, survey of school transportation needs, analyze school attendance, school origination and destination traffic modeling, or other enhancements to address school impacts to congestion.

Longer-Term Projects:

- Regional network additions with the I-526 completion and Glenn McConnell Parkway Extensions. Support the construction of these two pieces of regional network in a context-sensitive manner that accommodates multi-modal transportation such as premium transit (LCRT/LRT/PRT) and active transportation.
- Support the inclusion of a multi-use path and the ability of the proposed Glenn McConnell Parkway widening to accommodate a future dedicated transit/HOV/autonomous vehicle lane.
- Support intersection improvements at Sam Rittenberg Boulevard/Ashley River Road, Savannah Highway/Carolina Bay Drive, and Ashley River Road/St. Andrews Boulevard and Old Towne Road to resolve vehicle operational and safety issues while enhancing the ability of the intersections to accommodate pedestrians and cyclists, lessening the current barriers these intersections pose to the active transportation modes.
- Support the proposed reconfiguration of Main Road and Savannah Highway intersection, and insure that access to developed or potential development parcels is not compromised by the design for any mode of transportation.
- Support the installation of sidewalks and/or shared use paths throughout West Ashley along streets where sidewalks currently do not exist.

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4

GREEN INFRASTRUCTURE & SUSTAINABILITY

EXISTING CONDITIONS	4.4
COMMUNITY CONCERNS	4.26
VISION	4.27
IMPLEMENTATION	4.64

CHAPTER OVERVIEW

EXISTING CONDITIONS

- West Ashley’s low, waterfront terrain and historical development patterns are integral to what makes West Ashley unique and special to residents and visitors alike.
- At the same time, terrain may be the most significant challenge to West Ashley’s future. Conversion of natural “sponge” wetlands to impervious surfaces and development in the floodplain over time have reduced the land’s natural capacity to handle storm events, and have resulted in more and more flood-prone public and private investment. The Lowcountry Land Trust and South Carolina Conservation Bank are focused on land conservation, and will be important partners moving forward.
- West Ashley is increasingly vulnerable to more frequent and intense coastal storm events as well as the daily stresses of nuisance flooding and projected sea level rise.
- Multiple infrastructure projects and studies are underway, including drainage studies and improvement projects, water and sewer infrastructure upgrades, open space and recreation investments, and numerous City and County investments. At the scale of West Ashley as a whole, West Ashley is lacking a holistic and comprehensive vision to align actions and funding priorities with a long-term vision for the future.

COMMUNITY CONCERNS

- Neighborhood flooding is affecting safety, value, and quality of life in West Ashley’s neighborhoods. The community reports worsening conditions over the past decade.
- Many of West Ashley’s existing neighborhood parks need revitalization, and many residents lack safe access to nearby park and recreation resources.
- Burying existing overhead utilities would add value by improving the quality and character of West Ashley’s streetscapes.

VISION

- Plan West Ashley establishes a framework for resilient growth consistent with the community’s vision for its future, enabling stable economic development while minimizing risk from external economic and environmental forces. The vision for a resilient West Ashley is a combination of policies, strategies, priorities, guidelines, toolkits, prototypes, and demonstration projects spanning from the watershed and neighborhood scale down to the block, street, and individual building. The following over-arching elements guide the infrastructure vision:
 - **Where should West Ashley prioritize investment?**
Direct investment to higher, safer ground | Protect & heal natural resources | Connect natural and built systems
 - **How should West Ashley become more resilient?**
Reduce local flooding impacts | Prioritize infrastructure maintenance | Encourage green infrastructure (GI) | Provide high-quality, useful, convenient open spaces

IMPLEMENTATION

- The implementation plan provides a matrix of actions to achieve these goals; see detailed implementation recommendations pages 4.64-4.71.
- Some recommended actions (such as inclusion of green infrastructure, flood control, and undergrounding of overhead utilities into the Fire Station and Memorial design) are immediate and may provide near term results to build awareness and momentum.
- Some recommended actions are long-term in nature (such as regulatory and policy actions to limit and heal development in the floodplain) requiring further study and monitoring of results over a long period of time.

IMPLEMENTATION

Regulating the “Big Picture”

The maps showing West Ashley’s Priority Progress Areas, Adaptation areas, and those areas to Protect and Heal illustrate a broad, systemic view of West Ashley that is more sustainable from a land use perspective. Identifying areas that are better suited for increased levels of development obviously implies that there are areas deemed less suitable...areas that should be either protected or returned to a natural state. As discussed throughout this plan, local terrain and drainage patterns are the primary drivers for determining those areas that are poorly suited for new or increased development.

This is an urgent issue in several neighborhoods as localized flooding regularly causes property damage and can cut off access to specific areas of residential development, creating a serious public safety issue. Part of the solution for West Ashley is to have as much of the remaining developable land in the less suitable areas remain in a natural state. This can be accomplished through a variety of growth management tools designed to compensate land owners for their development rights and/or incentivize them to enter into these arrangements. Tools are described to the right and on the following pages.

Purchase of Development Rights (PDR) or Fee-Simple Acquisition

Successful PDR programs are often run by local governments by establishing a dedicated “open space” fund. These funds are then used to purchase development rights from land owners, placing permanent conservation easements on the land. One of the obvious core questions for this type of program is how to establish the fund—where will the money come from? Elected officials should explore options for West Ashley to consider:

1. **Public funds:** Seeding a PDR fund with a one-time investment of public money (e.g., bond, budget line item, etc.) can help to get these programs off the ground while other tools are used to maintain the fund over time. In Charleston County, the half cent sales tax approved in 2004 was used to create the Greenbelt Program.
2. **Real estate surcharge:** Other jurisdictions have adopted an innovative financing tool through real estate transaction surcharges.
3. **Impact fees:** Impact fees are enabled through state law in South Carolina and are assessed as part of development activities of a certain scale as determined by the permitting authority. For example, the Charleston Water System assesses fees to finance maintenance and expansion of water supply and sewer infrastructure. Based on flooding issues with existing infrastructure and potential future impacts, Charleston could consider an impact fee that would fund drainage improvements and acquisition of open space in West Ashley, potentially purchase of land if it were demonstrated it would be used for flood storage even if the primary purpose were a park (see Stormwater Design below). Further legal analysis is required.
4. **Partnering with non-profit organizations:** In any effort to increase the purchase of development rights or fee-simple acquisition of land, local governments should look for opportunities to partner with land trusts. The most notable land trust operating in West Ashley is the Lowcountry Open Land Trust. This non-profit organization is “focused on protecting ecologically, agriculturally, and historically significant

Lowcountry lands.” Where the City and the trust have mutual interest in a particular tract of land, resources can be pooled—including financial, legal, administrative, and management.

Another important potential partner is the County Greenbelt Program, which is funded exclusively by the “half-penny sales tax” increase. The program began in 2004 when voters passed the first half-penny sales tax increase. At the outset, the program borrowed money against project revenues and then divided the borrowed funds among jurisdictions. Seventy percent went to rural areas (outside the growth boundary) and thirty percent went to urban areas (inside the growth boundary). Of the urban communities, Charleston received the largest guaranteed allocation at approximately \$10M.

At the time this plan was developed, the County was revising its Comprehensive Greenbelt Plan and discussing several important administrative issues. Examples include whether to borrow against future revenues in order to provide substantial funds at the outset of the program. If borrowing does not occur, the program will require several years to build up significant resources. Another important policy decision is how to split money between rural and urban areas. For example, will urban areas receive thirty percent of the funds again, or could there be a larger percentage allocated to communities inside the growth boundary? Representatives from West Ashley should find opportunity to insert themselves into the Comprehensive Greenbelt Plan update process to ensure that their preferences on these policy and administrative decisions are heard. The Lowcountry Land Trust and South Carolina Conservation Bank are both focused on land conservation and protection of ecological, agricultural, and historically significant resources in West Ashley and beyond, and their success can serve as a foundation for future efforts.

South Carolina Code of Laws

Section 6-1-70. Prohibition on real estate transfer fees; exceptions.

(A) Except as provided in subsection (B), the governing body of each county, municipality, school district, or special purpose district may not impose any fee or tax of any nature or description on the transfer of real property unless the General Assembly has expressly authorized by general law the imposition of the fee or tax.

(B) A municipality that originally enacted a real estate transfer fee prior to January 1, 1991 may impose and collect a real estate transfer fee, by ordinance, regardless of whether imposition of the fee was discontinued for a period after January 1, 1991.

Transfer of Development Rights (TDR)

Another tool that can help alleviate growth pressures on sensitive land is TDR. This tool, generally offered as an optional incentive, removes the development rights from sensitive areas (such as flood prone lands) but moves those development rights to other areas where growth is desirable. For West Ashley, sending areas could include almost any residentially zoned land outside the areas targeted for growth during the charrette. The targeted growth areas could become the receiving areas depending on the ultimate scale of development needed. Importantly, TDR is a complex land use management tool that combines preservation, density bonuses, government administration, and an understanding of market forces that can change from year to year. West Ashley would probably require at least a full year of pre-planning before adopting a program that would include a professional consultant. Questions that need to be answered include:

- Where would the sending areas be? It is important that this be clearly defined and it should be able to be easily read on a map.
- Which growth areas would be receiving areas? The areas with the highest market pressure to grow will be the most successful.
- In receiving areas, what will developers be allowed to do with TDR, and what will they be allowed to do without TDR? In other words, how much development get they get “by right”, and then how much can get with TDR?
- What is the financial relationship between single family development in the sending area and multi-family development in the receiving area? How many bonus units will make it worthwhile to buy the development rights in sending areas?
- Are design standards needed to accompany bonus development in the receiving areas?

These core questions, and others, will be part of the planning process leading up to the adoption of TDR in West Ashley. In terms of research, local officials should look at the Beaufort County program as a potential starting point (Division 2.10 of the Community Development Code). Critical differences include the fact that it is administered at the county level, and the planning objectives are very different from West Ashley. Despite those differences, the program is more sophisticated than most other in the country and shows promise because it includes:

- A certification process for sending area land owners that allows them to certify the number of available development rights they have and make those available to property owners in the receiving area more easily.
- A “fee-in-lieu” process that allows developers to pay cash into a TDR Bank instead of buying actual certified development rights if those rights may be unavailable for any reason. This money is then used by the County at a later date to purchase development rights.

West Ashley should communicate with Beaufort County about the successes and failures of that program then begin to map out their own pre-planning process for TDR. As of July of 2017, the County had not yet calculated the dollar value for the fee-in-lieu payment, but were moving forward with a consultant to do so.

Regulating Site Specific Conditions

Wetlands

The ACOE model of regulating wetland impacts is not serving West Ashley well under current conditions, and the City may wish to consider adding local controls to the wetland permitting process. Options to consider might include:

1. Use zoning or local wetland regulations to establish additional local jurisdiction and review wetland impacts as part of local review procedures.
2. Prohibit the fill of any wetlands or disturbance of any upland area within 100 feet of a designated wetland area. Under this approach, off-site mitigation would not be an option.
3. Prohibit the discharge of stormwater to areas inside of the 100-foot protective buffer.
4. Restoration requirements for properties where the protective buffer is already disturbed.
5. Flexibility for redevelopment opportunities that can create a “net improvement.”

Importantly, the standards for buffers listed above are examples of what other jurisdictions do across the country. However, standards will differ from one jurisdiction to another for things like a protective buffer. Some examples across the country are as low as 50 feet while others are as large as 300 feet. Also, in some cases, limited activities are allowed in some buffers while others are treated as “no disturb.” West Ashley will need to consider carefully how the individual elements of such a program would be fashioned to best meet its needs.

Finally, the City may wish to administer these new requirements in conjunction with provisions of a new TDR program. For example, this local control may only apply, or may be strongest in designated sending areas. Further, the protective wetland buffer would apply for proposed development activity, but could be ignored when calculating development rights. Allowing the buffer to count as “developable” when certifying development rights would therefore incentivize participation in the TDR program. As an example, if a 10-acre site contained three acres of wetland, only seven acres could be considered developable. However, if the property owner wished

to sell development rights, he/she could sell the rights for the entire 10 acres.

Stormwater Management

Stormwater management continues to be a major focus for several agencies in West Ashley. Both the County and the City are at different phases of revising stormwater management standards, and intensive hydrologic/hydraulic studies are ongoing—the most recent is the ongoing study of the DuWap area. West Ashley has taken an aggressive approach to how stormwater management is regulated with these intensive studies. For example, a previous study on the Church Creek area resulted in a special management district that has more intensive requirements related to flood prevention. Moving forward, amendments to stormwater management standards for development applications should be consistent with the findings of these studies, and local and county standards should be consistent.

The following actions should be undertaken as part of a comprehensive West Ashley regulatory initiative:

1. Increasing the requirements for matching predevelopment and post development discharge rates to the 100-year storm frequency.
2. Increasing the design storm frequency for pipes, culverts, and other features in areas where doing so would alleviate flood pressure. Sensitive areas would be identified through the results of ongoing study.
3. Incorporating requirements for retention of small storm volumes (e.g., 1-year, 2-year event, or water quality volume) where this would be beneficial for mitigating downstream flooding or in areas identified for protection in this plan.
4. Review downstream analysis requirements for West Ashley at the watershed scale to ensure regulatory requirements are comprehensive and properly calibrated.
5. Continue to refine the recently adopted standards for stormwater management on redevelopment properties to allow for more site-specific numeric targets and to make redevelopment in growth areas easier than in low-lying areas designated for protection.

6. Using fee-in-lieu options to build funds that can be used to update infrastructure in public areas and/or establish neighborhood scale solutions in the form of open spaces and parks that can periodically flood when needed.
7. Investigating creation of a state drainage authority that establishes a formal process for multi-jurisdictional coordination with regards to watershed planning, stormwater management, and drainage system operation and maintenance.

Flood Plain Development

As discussed earlier (Page 4.13) flood plain areas are of particular concern in West Ashley as they play a critical role potentially mitigating post-storm impacts from flood waters. As is common practice, West Ashley requires one foot of freeboard over the 100-year flood elevation (top of the lowest floor level of the lowest floor) for new construction. Development is allowed in flood plain areas using a general set of development criteria including “All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.” (Sec 27-16.3.) More stringent and specific criteria are applied to specific uses (e.g., manufactured homes) and areas of special flood hazard (e.g., floodways, V-Zones, etc.). As storm intensity, storm surge, and sea level rise are expected to become more

challenging over time, West Ashley could consider changes to flood plain development requirements:

1. Increase freeboard requirement for residential and non-residential development from one foot to two feet. Pursue and encourage adaptive solutions for retrofit of historic structures, potentially including raising, floodproofing, or relocation.
2. Provide a more detailed description of the type of analyses (e.g., downstream flooding) and measures (e.g., compensatory storage) that will be required to determine there will be no increase in impacts from a development proposal.
3. Apply select standards from areas of special flood hazard to the 100-year flood plain. Specifically: “No encroachments, including fill, or new construction or substantial improvements or any other developments shall be had until and unless certification (with supporting technical data) by a registered professional engineer is provided to the city engineer or his designated agent demonstrating that such activity shall not result in any increase in flood levels during occurrence of the base flood discharge.”



Implementation Actions

Implementation of the vision to make West Ashley more resilient will include physical improvements/projects by the public and private sector, as well as policy actions by the City, County, BCDCOG, and others. Enhanced coordination at identified focus areas and as part of immediate action items will be critical to build a stronger pattern for successful collaboration.

Recommended immediate, near term and longer term actions to pursue are outlined on the following pages. Additional details, including estimated cost and parties responsible for each, is included in Chapter 7. Implementation should integrate data collection and analysis in all future project studies and improvements. Types of data may include traditional data and/or more sophisticated analytics as available.

Immediate Steps (first 2 years):

Immediate Policies/Studies:

- Pursue mechanisms and funding to purchase property for the purpose of reversion to wetlands and addition of floodplain.
- Seek authorization from the General Assembly to allow local real estate transaction surcharge to seed open space acquisition.
- Strengthen tree protection and tree planting requirements for new development and redevelopment.
- Advocate for the Greenbelt Program to borrow money against future revenues on the half penny sales tax in order to provide immediate funding.
- Raise community awareness of sensitive environmental concerns, green infrastructure, and open space preservation.
- Develop a West Ashley Recreational Needs Assessment.
- Develop a West Ashley Open Space, Parks, and Recreation Master Plan.
- Strengthen requirements for undergrounding of overhead utilities for new development and redevelopment, and pursue alternative sources and partnership models to acquire implementation funding.
- Develop community engagement strategies to improve communication, education, and participation for residents around locally important green infrastructure and sustainability issues.

- Develop incentives to encourage developments to include green infrastructure practices. If more restrictive stormwater standards are implemented to address drainage issue and open space preservation, more flexible zoning standards may be needed.

Immediate Projects:

- Perform a storm drainage system inventory (including condition assessment) and maintenance schedule with cooperation between the City, County and State DOT. Cross train City staff (i.e. sanitation, inspection, zoning, police) to recognize and report blocked drains or other drainage issues requiring maintenance.
- Integrate neighborhood scale flood control, with traditional stormwater management improvements as well as Lowcountry appropriate green infrastructure practices (such as bioretention, rain gardens, created wetlands, and depaving), and undergrounding of overhead utilities into upcoming infrastructure investments such as streetscape, park, drainage basin, and open space projects.
- Include green infrastructure and local neighborhood drainage improvements as part of the Fire Station and Memorial design.
- Plant trees

Near-Term Steps (2 years – 5 years):

Near-Term Policies/Studies:

- Pursue mechanisms for transfer of development rights (TDR).
- Increase budget for inspection, operation, and maintenance of drainage infrastructure.
- Pursue mechanisms for purchase of development rights (PDR).
- Pursue green infrastructure maintenance workforce training programs.
- Strengthen local wetlands regulations and jurisdiction (see Wetlands Preservation details on page 4.48).
- Prohibit the fill of any wetlands or disturbance of any upland area within a fixed distance of a designated wetland area. Consider 100 feet as a potential distance.
- Prohibit the discharge of stormwater to areas inside of a 100-foot protective buffer.
- Promulgate restoration requirements for properties where the protective buffer is already disturbed.
- Implement flexible wetland protection measures for redevelopment opportunities that can create a “net improvement.”
- Include green infrastructure requirements/ guidelines reflecting the Master Plan vision for West Ashley in the updated City stormwater management standards.
- Increase the requirements for matching predevelopment and post development discharge rates to the 100-year storm frequency.
- Increase the design storm frequency for pipes, culverts, and other features in areas where doing so would alleviate flood pressure. Sensitive areas would be identified through the results of ongoing study.
- Incorporate requirements for retention of small storm volumes (e.g., 1-year, 2-year event, or water quality volume) where this would be beneficial for mitigating downstream flooding or in areas identified for protection in this plan.
- Include requirements for downstream analyses in identified flooding areas to ensure that new measures do not exacerbate and can even improve existing problems.
- Increase freeboard requirement for residential and non-residential development from one foot to two feet.
- Provide a more detailed description of the type of analyses (e.g., downstream flooding) and measures (e.g., compensatory storage) that will be required to determine there will be no increase in impacts from a development proposal.
- Apply select standards from areas of special flood hazard to the 100-year flood plain.
- Explore ways to assist coordination efforts from federal programs such as FEMA and SBA to assist homeowners within flood plain that are impacted by recurring flooding.

Near-Term Projects:

- Partner with the Citadel Mall and other private developers to implement depaving, floodplain restoration, wetlands protection/restoration, tree planting, and pilot GI improvements.
- Incorporate “Water Smart Park” concepts into the next park construction or retrofit as a pilot. Opportunities include the Citadel Mall redevelopment, Church Creek Basin, Fire Station and memorial, Sam Rittenberg redevelopment at Old Towne Road or elsewhere, the Greenway, DuWap area, and many others.
- Increase wetland preservation/restoration and floodplain management as part of West Ashley Circle development.
- Implement the findings of the Church Creek and DuWap Drainage Studies.
- Implement a green infrastructure retrofit into an existing West Ashley street.
- Implement flood control and drainage improvements with traditional stormwater management techniques coupled with green infrastructure practices.
- Plant more trees

Longer-Term Steps (5 years – ongoing):

Longer-Term Policies/Studies:

- Incorporate resiliency, sea level rise considerations, and adaptive design strategies into long-range infrastructure/transportation planning and policy other features in flood prone areas.
- Investigate incentive programs offering tax abatements for open space preservation.
- Set a specific goal for open space preservation of remaining developable land.
- Identify and protect existing cultural and landscape assets for preservation.
- Create new neighborhood parks in underserved areas - to be determined by the Open Space, Parks, and Recreation Master Plan.
- Support evolution and implementation of the West Ashley Greenway Master Plan.
- Enhance connections between the West Ashley Greenway, Bikeway, and adjacent neighborhoods - including the Peninsula and Johns Island.

Longer-Term Projects:

- Partner with the Citadel Mall to construct pilot depaving, wetlands enhancement, and floodplain improvements.
- Fund undergrounding of overhead utilities as part of redevelopment and streetscape improvements.
- Build a “Water Smart Park” with green infrastructure as part of West Ashley Circle neighborhood development.
- Pursue the “Tiger Swamp Canal Walk” as part of neighborhood scale Citadel Mall, Sam Rittenberg, and I-526 extension transportation planning and drainage infrastructure improvements.
- Plant more trees



5 HOUSING

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CHAPTER OVERVIEW

EXISTING CONDITIONS

- West Ashley’s value as a residential community is, and always has been, its centrality within the region and easy access to the Peninsula via early bridges and, later, I-526.
- Housing in West Ashley is becoming increasingly expensive, endangering its longtime status as a community affordable to middle income households.
- As rising home prices place homeownership out of reach for more West Ashley households, demand for rental properties is also increasing from a wider range of demographics and household income levels.
- Most recent and planned new single-family and multifamily residential development in West Ashley is occurring at previously-undeveloped greenfield sites in the outer West Ashley area west of I-526. As a relatively affluent area of planned growth, outer West Ashley is in need of additional amenities, services, infrastructure, and traffic solutions to support this growth.
- Rising housing prices are driving rapid change in many inner West Ashley neighborhoods – particularly in historically affordable neighborhoods. These neighborhoods are increasingly desirable due to the comparatively low prices of their housing stock, convenient proximity to existing shopping, services, and commute routes to jobs throughout the region, and locations adjacent to long-desirable neighborhoods.
- Increased housing prices are also threatening the physical “community character” of West Ashley’s oldest neighborhoods as new homes are built and older homes are changed.
- Rising housing prices increase the need for attainable, affordable, and workforce housing at all income levels. While Charleston and other agencies already offer programs and policies to address these needs, a variety of additional public policy and funding tools can be deployed or refined to expand affordability.

COMMUNITY CONCERNS

- The community does not offer enough variety of housing choices to meet needs and preferences.
- Housing is becoming too unaffordable, which also creates a risk that seniors and lower or middle income residents could be displaced.
- Community character, scale, and cultural legacies are threatened by new development and change.
- The Citadel Mall property needs reinvestment – possibly including housing.
- Any taller housing should be limited and targeted for appropriate locations.

VISION

- Preserve community character
- Maintain affordability
- Add more housing options and supply to meet market demand and need.
- Provide supportive and equitable infrastructure for housing at all income levels, including multimodal transportation options (pedestrian, bicycle, automobile, and transit), parks and open space, and community facilities.

IMPLEMENTATION

- Implementation actions at the end of this chapter directly support achieving each component of this vision. See more detailed implementation recommendations pages 5.18-5.24

VISION | AFFORDABLE

To achieve the community vision for housing in West Ashley, the following goals shall be pursued:

1. Preserve community character.
2. Maintain affordability.
3. Add more housing options and supply to meet market demand and need for all income levels.
4. Provide supportive and equitable infrastructure for housing at all income levels, including multimodal transportation options (pedestrian, bicycle, automobile, and transit), parks and open space, and community facilities.

IMPLEMENTATION

Implementation actions on the following pages directly support achieving each component of this vision. Implementation should integrate data collection and analysis in all future project-specific studies and improvements. Types of data may include traditional data and/or more sophisticated analytics as available.

Community Engagement

The City and County should develop community engagement strategies to improve communication, education, and participation for residents around locally important housing issues, existing programs (rehabilitation, homeownership, affordable rental units, etc.), and future programs.

Maintain Affordability

Maintaining affordability in West Ashley represents a significant, large-scale challenge that requires numerous individual solutions at a variety of scales. The following implementation projects focus primarily on opportunities to assist residents of West Ashley who are likely to suffer the greatest consequences of declining affordability. The strategies represent a variety of scales of intervention, from advocacy for changes at the state level, to local City and County programs and funding resources. Many of the actions provide policy direction on pursuing and adopting tools or policies that are already under consideration. These actions represent adoption of or appropriate modifications to fundamental time-tested changes/programs that provide basic funding, capacity, and tools to address affordability needs. An additional “near-term” action focuses on studying – at the citywide level – additional tools that the City of Charleston could adopt if deemed appropriate, including recently-adopted innovative programs from other areas of the country and other ideas raised in conjunction with this implementation item. Implementation of this policy shall avoid gentrification of communities.

Insert additional implementation recommendation:

- *Adjust zoning and land development regulations to further support development of affordable housing, including prioritizing and incentivizing affordable housing, streamlining and expediting the review and approval process for affordable housing, and enabling staff level approvals for affordable housing.*

Immediate Steps (first 2 years):

- *Pursue passage of a citywide housing bond, and use resulting funds to expand subsidized income-restricted housing in West Ashley.* The City of Charleston is currently pursuing passage of a citywide bond that would provide funding to support income-restricted affordable housing in the City. Efforts should be made to ensure that funding is distributed to projects in West Ashley. Given the scale of need, future housing bonds should be considered.
- *With public input, elected officials should explore passage of an inclusionary housing enabling law at the state level.* Such a law would allow communities to require inclusion of income-restricted housing units in multi-unit housing development projects; similar laws already exist in cities across the United States. If enabling legislation is passed, Charleston should pursue passage of inclusionary housing requirements for the City.
- *With public input, elected officials should explore changes to state enabling law and city ordinances to allow for incentivized affordable housing programs.* Develop local voluntary incentive programs that encourage developments to incorporate affordable and workforce housing. Explore potential for incentives such as real estate tax abatement, density bonuses, height bonuses or other mechanisms that incentivize developers to voluntarily include levels of affordable housing.
- *Pursue changes to state criteria that negatively impact the ability of income-restricted affordable housing developers to obtain adequate LIHTC funding allocations.* Feedback from developers of income-restricted affordable housing indicates that the current state-level scoring system for LIHTC funding allocations tends to favor projects in rural locations. Given growing unaffordability within the Charleston region, the City and County should advocate for modifications to LIHTC criteria that recognize the metropolitan area's increasing needs. By directing additional LIHTC funding allocations to urban areas, a broader network of non-profit affordable housing developers are likely to emerge in Charleston and other South Carolina communities.
- *Expand application of Mixed-Use Workforce Housing zoning districts, and pursue modifications to increase the program's effectiveness.* The City of Charleston's "mixed-use workforce housing" zoning districts provide voluntary incentives for developers to incorporate income-restricted affordable housing units into large multifamily housing projects. The districts currently exist in limited locations and have not generated significant quantities of income-restricted housing units; recent modifications strengthened the duration of affordability requirements and allowed payment of an in-lieu fee rather than provision of on-site housing units. The current incentive structure should be studied to determine further appropriate modifications, and the districts themselves should be expanded wherever appropriate – likely in areas of West Ashley targeted for future infill growth, such as along major corridors in inner West Ashley.
- *Maintain and expand homeowner rehabilitation assistance programs and funding.* The City of Charleston's low-interest loan programs to low-income homeowners for major housing repairs and roof replacement help to ensure that residents stay in their homes and maintain control of their most valuable asset.
- *Explore the potential to offer expedited review of income-restricted affordable or mixed-income housing development projects.* Expedited review accelerates the timing before development can proceed, thus reducing developer risk and reducing carrying costs for land.
- *Provide assistance to residents through the Center for Heirs Property Preservation, and pursue modifications to state heirs property laws that harm the ability of families to maintain control of properties.* Assistance through the Center for Heirs Property Preservation can help address the needs of today's residents, including counseling with older property owners who do not currently have wills in place. Changes to state law would create greater certainty for future inheritors of property while expanding opportunities for families to retain their homes across generations.

Near-Term Steps (2 years – 5 years):

- *Explore adoption of pre-approved housing designs/plans – compatible with the existing character of targeted areas – to reduce development costs and time.* The City should assess the advantages, drawbacks, and practicality of adopting neighborhood-specific pre-approved housing designs that could potentially lower costs for developers by eliminating challenges to construction approval.
- *Ensure housing is well-served by multimodal transportation options that allow residents to reduce their travel costs.* Affordability in West Ashley goes beyond the cost of housing itself, with residents also impacted by transportation costs – typically a household’s second-highest category of costs. The City and County should ensure robust transit, pedestrian, and bicycle transportation options are available to West Ashley residents so they can access employment and shopping needs at a lower relative cost compared to automobile ownership and use.
- *Target use of affordable housing in-lieu fees collected in West Ashley to support development and retention of income-restricted affordable housing in West Ashley.* When West Ashley developers choose to pay affordable housing “in-lieu” fees rather than provide required or agreed-upon on-site affordable housing, these fees should be dedicated to use in West Ashley rather than other parts of the City. While fee revenue is limited today, it may grow as a source over time if the Mixed-Use Workforce Housing zoning districts are expanded or if inclusionary housing legislation is approved.
- *Inventory all land currently owned by a public agency, determine if any properties could be used for housing in the future, and prioritize these sites for subsidized income-restricted housing development.* Publicly-owned sites can provide the greatest flexibility to pursue affordable housing development through partnerships with affordable housing developers.
- *Study potential adoption of additional tools deployed by other communities to address affordable housing needs.* The prior actions represent a potential major expansion of

Charleston’s funding capacity and legal requirements for providing workforce and affordable housing. This is merely a first step, however, and the City should continue to study and consider adopting other tools – both common and innovative – deployed in other communities.

- *Explore creation of a “Staying-Put Initiative” when new developments occur within vulnerable communities to assist in finding ways for long-term residents to remain as property values and taxes increase.* A similar initiative was utilized with the proposed Magnolia development in the upper peninsula area of downtown Charleston. The City, in conjunction with the Magnolia developers, addressed local residents’ concerns that property taxes would force them to leave by creating the ‘Staying Put Fund’, a public-private partnership designated to assist residents in paying increased property taxes. Similar funds should be considered for future developments in West Ashley sited near existing vulnerable neighborhoods.

Longer-Term Steps (5 years – ongoing):

- *Enhance capacity to grow income-restricted subsidized affordable housing by increasing public land purchases and by pursuing development/land banking via the community land trust and collaboration with third-party non-profit affordable housing developers.* Charleston’s new community land trust creates an additional opportunity to dedicate land for affordable housing development. Deploying this land and any publicly-owned land for affordable housing may also require expansion and attraction of non-profit affordable housing developer capacity.

Other Tools to Explore for Supporting Housing Affordability in West Ashley

Solutions for maintaining and expanding the supply of attainable, affordable, and workforce housing fall into three primary categories. These are 1) finding sources of funding, 2) increasing the capacity to deliver lower-cost housing, and 3) increasing capacity to manage affordable housing. Success requires a broad range of responses within each of these categories; for example, development of additional subsidized, income-restricted housing units requires layering of multiple sources. Given these challenges, efforts to address affordability in high-cost regions across the country do not focus on single big ideas, but about combining and tailoring solutions. Charleston should explore the following ideas for addressing housing affordability as part of its own tailored approach.

Third-party comprehensive evaluation of tools and approach: In response to rapidly escalating housing costs, Durham, North Carolina and Oakland, California retained Enterprise Community Partners to conduct a comprehensive evaluation of their affordable housing policy tools and then provide a roadmap of changes and additions to improve coordination and efficacy. Charleston could potentially pursue a similar study in conjunction with any future affordable housing bond revenue.

Additional tax revenue sources: Communities across the country have increasingly recognized the need for additional funding sources to assist development of affordable housing, and have pursued new revenue sources. Examples include impact fees on new development, sales taxes dedicated to housing production, and real estate transfer taxes.

Employer-assisted housing: Major institutional employers may be willing to individually or collectively create an employer-assisted housing initiative to reinvest in their communities and improve worker access and productivity. For example, the City of Charleston offers assistance to employees as part of the City's First Time Homebuyer Program. Other examples referenced in a Harvard University white paper include:

- Phoenix, Arizona: Downtown Phoenix Home Ownership Program where four major employers set aside \$150,000 to fund their employee assisted housing programs.
- Portland, Oregon: Emanuel Hospital/Legacy Health System Neighborhood Home-Ownership Program where the hospital provides forgivable grants for down-payment assistance.
- New Haven, Connecticut: Yale University Homebuyer Program provides home ownership grants to employees for up to 10 years.
- Milwaukee, Wisconsin: Harley Davidson Walk-to-Work Home Purchase Program that provides forgivable loans to cover closing costs and down payments.

Programs to permanently preserve affordability at small rental properties: Preventing displacement of current lower income residents in market rate housing can be especially difficult. Using affordable housing trust fund revenues and developer fees, the City of San Francisco provides subordinate loans on favorable terms to affordable housing development partners to acquire and rehabilitate buildings of between 5 and 25 units occupied by lower income renters.

Expanded renter protections: Popular options include measures such as tenant eviction protections, requiring tenant relocation payments for no-fault evictions, and rent review programs that include mandatory notices of rent increases by landlords and mediation between landlords and renters.

Accessory dwelling unit financing assistance: Accessory dwelling units represent a major potential source of additional housing that also provides additional revenue to homeowners. However, obtaining a construction loan from a traditional mortgage lender is challenging since future rents are typically not incorporated into calculations of income. Some cities have addressed this issue through low-interest loan programs and reduction of costs through relaxed land use regulation and provision of fee waivers.

Preserve Community Character

The “character” of West Ashley’s different neighborhoods includes both their physical appearance and the people and history that make up residents’ lived experience. Plan West Ashley has begun the process of defining this character and addressing changes to support it. The recommended implementation projects will complement this work at an even more local, granular level. The following strategic implementation approach to preserving community character focuses on a multi-step process that begins with first using local outreach and resident engagement to define the character, contributing assets, affordability issues, and community concerns present in each of West Ashley’s neighborhoods. Based on this information, the implementation projects then focus on adjusting land use regulation and project approvals processes to ensure that reinvestment and future development respect existing community character while also welcoming new residents. Finally, the outreach and education projects provide an opportunity to build capacity for future grassroots action by West Ashley’s neighborhoods. These outreach efforts must be inclusive to empower all community members across all demographics.

Near-Term Steps (2 years – 5 years):

- *Reach out to and work with individual neighborhood councils to provide resident outreach and education to better understand and address concerns, and to explore acceptable ways to accommodate newer housing types.* Given that concerns and needs vary from neighborhood to neighborhood in West Ashley, the City and County should play a role in building the capacity and empowering of neighborhood organizations to represent local interests, as well as provide communication and education to residents around locally-important issues. For example, neighborhood groups in West Ashley’s historic African American neighborhoods can potentially expand their roles in leveraging community networks to connect residents with information about programs and opportunities for homeownership and home retention within these neighborhoods. Outreach to the Maryville/Ashleyville community during the development of Plan West Ashley allowed residents to express concerns around gentrification, rising costs and

neighborhood change, and also provided an outlet to share information about property tax relief programs.

- *Align zoning, design review, and land use control regulations and processes to ensure new housing development can proceed while also respecting the character and design of existing neighborhoods.* This implementation project should ensure that land use regulation and permitting processes appropriately control demolition activity and replacement of existing housing with new housing. New regulations should have a focus on building design and character, to ensure adherence to community design standards.
- *Identify and preserve historic community assets and character in West Ashley.* Within inner West Ashley’s oldest neighborhoods, the neighborhood descriptions and recommendations of the City’s Preservation Plan and the subsequent “Area Character Appraisals” completed for Byrnes Downs and Old Windermere provide a resource for understanding physical character and historic assets, and tools for preserving these assets.⁹ The City should implement pre-existing recommendations from the Preservation Plan. This understanding of assets and priorities should also be updated based on other historic community assets identified by West Ashley residents subsequent to the adoption of the preservation plan and Area Character Appraisals. The City should also engage with neighborhood and other local organizations to help contribute to any future Area Character Appraisals, with this process also used as an educational and capacity-building exercise for neighborhood residents.

Longer-Term Steps (5 years – ongoing):

- *Complete detailed assessments of key issues, affordability needs, unique demographic and physical characteristics, and appropriate housing options of individual neighborhoods.* These neighborhood assessments will require resident outreach and participation.

⁹ *Vision, Community, Heritage: A Preservation Plan for Charleston, South Carolina*, authored by Page & Turnbull for the City of Charleston, January 2008. Subsequent Area Character Appraisals were completed for Byrnes Downs and Old Windermere in August 2009 by Robert and Company.

Add more Housing Options

Expanding the overall housing supply and diversifying West Ashley's mix of housing – beyond today's largely consistent mix of single-family homes and low-rise condominiums and apartments – would allow West Ashley to compete for attracting regional housing demand by appealing to new market segments of households while still serving existing market segments. At the same time, some new housing products could provide more affordable options by offering efficient designs. While some of these housing products may be more dense than West Ashley's traditional development pattern, higher-density housing products provide the added benefit of potentially providing an efficient use of existing infrastructure – such as roads and sewers – that results in lower public service costs compared to lower-density single-family communities. The following implementation projects focus on revising land use regulations and approvals processes to allow and encourage development of diverse housing products in West Ashley.

Immediate Steps (first 2 years):

- *Explore the potential to offer expedited review of townhome and multifamily housing projects in locations where such housing is allowed by right, particularly targeted to infill locations that already have the infrastructure to support additional housing.* As described in other chapters of this document, many locations in inner West Ashley are appropriate for infill housing development, both to support the emergence of walkable community nodes and to make use of existing infrastructure more efficiently. Expedited review can help incentivize the development of preferred housing products in targeted locations by reducing the developers' holding costs and risks.
- *Prioritize expansion of senior housing options for households of all incomes.* The City and County should set forth a policy of prioritizing senior housing in West Ashley as a means of helping residents stay in their community as they age.
- *Explore other tools for supporting housing affordability in West Ashley as noted on page 5.21.*

Near-Term Steps (2 years – 5 years):

- *Adjust zoning and land use regulations to allow and support development of “affordable by design” housing products, including prioritization of enabling and incentivizing accessory dwelling units.* Examples of other affordable by design products include small-lot single-family homes, townhomes, and smaller multifamily units. Efforts should be made to ensure that any changes are sensitive to protecting the character of existing neighborhoods. Allowing and incentivizing accessory dwelling units should be prioritized since these secondary units result in minimal impacts on the visual character of neighborhoods; production of these units requires adjustments to zoning (including review of on-site parking requirements).
- *Promote “green” energy-efficient homes that are less costly to maintain and operate. Homes that integrate energy-efficient design can reduce long-term operating costs for owners, thereby improving overall affordability.* Programs and incentives that promote the use of energy-efficient features should be explored.
- *Based on the Community Design and Land Use recommendations, revise zoning to allow/encourage a diverse set of housing product types in appropriate locations.* These housing products include townhomes, multifamily housing targeted along significant corridors, and mixed-use housing with retail/commercial uses in targeted neighborhood nodes at intersections of major streets. Given that increases in overall housing inventory will also help to reduce costs, this process should also identify sites for West Ashley's more typical single-family homes and one- to three-story apartments and condominiums.

Provide Supportive Infrastructure

The functionality and desirability of housing in West Ashley are ultimately determined by the public amenities/facilities, basic infrastructure, and transportation access that support each neighborhood's residents. Examples of public amenities include parks and recreation facilities. Examples of basic infrastructure include stormwater, sewer, electrical, and communications access. Transportation options include all transportation modes that can enable residents to access neighborhood amenities – including public amenities and private amenities such as retail, restaurants, and day-to-day services – as well as employment and other destinations throughout the region. In addition, acknowledging that aging and low-income Americans are more likely to use transit, bike and walk as means of traveling, it is imperative that the new vision for West Ashley provides the appropriate infrastructure and equitable opportunities for all residents, including under-served populations, to reside in livable communities.

While other chapters provide detailed coverage of infrastructure and public amenities/facilities, the following implementation projects focus on policy priorities and infrastructure needs that are critical for improving affordability in West Ashley, allowing housing growth to proceed in targeted locations, and ensuring all residents enjoy easy access to amenities that support a high quality of life.

Near-Term Steps (2 years – 5 years):

- *Provide and ensure access to effective, low cost transportation options, including public transit and safe, comfortable walking and biking infrastructure.* The Transportation chapter of this plan describes locations of major transportation improvements, including improvements to transit service in the inner West Ashley area. Lower-cost transportation access, to both local and regional destinations, enables residents to reduce their overall cost of living in West Ashley while also benefitting from greater access to economic opportunities.

- *Fund and implement infrastructure to address flooding issues in the Church Creek and Tiger Swamp areas to support existing housing and enable housing growth.* Flooding in these areas must be resolved to stabilize impacted neighborhoods and to remove a constraint on future development and reinvestment in West Ashley.
- *Cross-train City field workers to identify and report blocked drains and other drainage issues that can exacerbate flooding and constrain housing investment.* Existing and future stormwater infrastructure can be operated more effectively by ensuring all City workers note and report any drainage issues that can lead to flooding.

Longer-Term Steps (5 years – ongoing):

- *Implement land use and transportation recommendations of this report to ensure all neighborhoods enjoy equitable access to parks and public/private amenities and services.* The land use and transportation recommendations help ensure that all West Ashley residents have easy access to parks, recreation, and day-to-day shopping and service needs.
- *Target development and retention of mixed-income and affordable housing to locations in close proximity to community amenities and transportation.* In order to reduce barriers to opportunity for West Ashley's most vulnerable residents, mixed-income and affordable housing should be targeted to locations closest to robust multimodal transportation options and local amenities.



6 ECONOMIC DEVELOPMENT

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CHAPTER OVERVIEW

EXISTING CONDITIONS

- West Ashley historically functioned as a bedroom community that supported job centers elsewhere.
- There are now about 30,000 jobs in West Ashley, yet 84 percent of employed West Ashley residents commute elsewhere for work.
- A fundamental mismatch exists between the type of jobs in West Ashley and the types of jobs held by West Ashley residents. The majority of West Ashley jobs are in industries focused on household consumption, such as retail, restaurant, personal services, and medical businesses. Yet West Ashley residents are more likely to work in office-based professional jobs and manufacturing/warehouse jobs.
- One opportunity to diversify West Ashley's economy is to reposition the area to better attract growth of businesses/sectors that are tied to the regional export-based economy. The One Region Global Competitiveness Strategy identified five "high impact clusters," (groups of industries that are driving the regional economy). These include: aerospace, information technology, life sciences, advanced logistics, and automotive.
- West Ashley is well-positioned to begin addressing this office shortage for these high impact clusters; it already provides a range of housing choices to support a future diverse workforce. Second, extension of I-526 will make West Ashley much more accessible to all parts of the region.
- Much of West Ashley's retail space suffers from a popular perception of poor performance, but many of West Ashley's formerly grocery-anchored shopping centers are experiencing re-investment, with property owners optimistic about West Ashley's long-term growth and evolving demographics.
- Certain historic retail nodes have also made a "comeback" in West Ashley, such as Avondale. In the future, other nodes could emerge at locations in which major streets intersect with each other.
- Inner West Ashley likely has more retail space than the market will be able to support, especially in coming years as more retail activity shifts to the internet. Some commercial property owners will need to consider repositioning their property such that they can still take advantage of West Ashley's central location within the region. Housing and some office space are likely to emerge in the near- to mid-term to drive this process.
- Despite its ownership challenges, age, and vacancies, Citadel Mall represents an outstanding opportunity to rethink the mall concept, including adding new uses such as high-density housing and class A office space.

COMMUNITY CONCERNS

- West Ashley will lose its character if new development does not accommodate small local businesses.
- There are too many vacant or visually blighted commercial properties along major arterial corridors.
- There are no small community-scale retail and services in outer West Ashley.
- Future jobs and economic development efforts should address the needs of residents at all skill levels.

VISION

- Attract a wider range of businesses so more people who live in West Ashley can also work in the community.
- Allow and encourage transformation of Citadel Mall into a mixed-use "town center" for the entire community. Also encourage the redevelopment of other key nodes and focus areas such as those shown on the map *Opportunities for Future Change/Improvements* on page 2.22-2.23.
- Cultivate a West Ashley where all kinds of small and local businesses can thrive.
- Offer a full range of recreational, cultural, and civic facilities to support both residents and workers.
- Facilitate refreshing/refurbishing shopping centers and commercial properties that have vacant spaces and/or a blighted appearance, including introducing a new mix of uses (such as office, housing) to create new nodes.
- Support more small-scale community shopping opportunities in outer West Ashley that look and feel more like Avondale in inner West Ashley.
- Improve plan review and permitting processes and work with local and regional economic development groups to entice revitalization and attract new businesses and employment centers.
- See more detailed implementation items on pages 6.17-6.26.

IMPLEMENTATION

The following implementation priorities and actions were identified by considering West Ashley's competitive strengths and challenges regarding economic development, the specific community concerns related to economic development, and by considering available tools that directly address economic realities and community concerns to fulfill the community's vision.

Implementation should integrate data collection and analysis in all future project studies and improvements. Types of data may include traditional data and/or more sophisticated analytics as available.

Community Engagement

The City and County should develop community engagement strategies to improve communication, education, and participation for residents around locally important economic development issues.

Permitting Process

Simplify and accelerate the permitting process for projects in West Ashley

While the permitting process itself is not part of the "community vision" for economic development in West Ashley, the pace, complexity, and uncertainty associated with gaining City approvals for development projects do create overall constraints on the ability to fulfill the vision. Not only was this issue frequently raised by West Ashley's developers and property owners, but it also echoes throughout concerns raised the broader community: a challenging and uncertain development approvals process constrains the ability to attract reinvestment in properties, which in turn affects the ability to grow office space for jobs and businesses, transform dated commercial areas, and replace or transform vacant and blighted properties. Limitations on development activity also negatively impact the ability to raise public revenue and use infrastructure more efficiently, as described earlier in this chapter.

This implementation strategy focuses on ensuring planning efforts, land use regulations, and approvals processes are proactively simplified, clarified, and made internally consistent. The goal is to ensure that future development projects still meet strict community expectations – including those described in the Design and Land Use chapter of this document – while also ensuring a developer or property can clearly understand those expectations before pursuing a project.

Near-Term Steps (2 years – 5 years):

- *Review all land use and design regulations and permitting processes – including the Design Review Board Process – applicable to property development in West Ashley, and modify to ensure clear guidelines and expectations exist for development projects.* The City of Charleston and Charleston County should both undertake this review process, which could also result in a better alignment between their expectations and processes. The review should include examining and modifying the City of Charleston's Design Review Board process to create guidelines and predictability for development applicants, in line with recently completed changes for the Board of Architectural Review. An audit of and improvements to the City's Technical Review Committee process should also be completed. The review processes will require input from developers, brokers, and City staff with direct experience and understanding of existing challenges. Ultimately, the goal should be to provide clear expectations of both zoning and design, and to streamline the process by coordinating and minimizing the number of approvals required.
- *Establish a new incentivized redevelopment zone designation to encourage the revitalization of underutilized sites.* Create development standards that incentivize sustainable mixed use redevelopment, similar to the Upper Peninsula zoning district, and establish a finite review process.

Citadel Mall

Allow and encourage transformation of Citadel Mall into a mixed-use “town center” for the entire community

The Citadel Mall and surrounding area represents a tremendous opportunity for redevelopment into a true mixed-use district with higher density employment opportunities, a range of housing types, and more entertainment and recreational activities. Although any changes will be undertaken by private investors and owners, the following projects form a strategy that leverages the crucial role the City and other public agencies can play in this process by working with property owners, setting up the right policy/regulatory framework, and offering any available incentives as appropriate. Over the long term, the transformation of the Citadel Mall area could allow West Ashley to compete for high-skilled and young workers by offering a vibrant, mixed-use employment and housing district with convenient multimodal access.

Immediate Steps (first 2 years):

- *Ensure zoning and design regulations promote the town center vision.* As described in the Design and Land Use chapter of this document, this could include zoning that allows for vertical mixed-use development (i.e. mixing uses within a single building) and setting design standards for high quality green space, good connectivity to the surrounding community, and working with the various infrastructure and transportation providers (including CARTA) to ensure that this location can serve a 21st century economy.

Near-Term Steps (2 years – 5 years):

- *Determine whether to pursue construction of a facility that could support regional or national athletic tournaments in the area.* Such a facility could potentially serve the community as well, while also attracting a new mix of activity to the Citadel Mall area.

Longer-Term Steps (5 years – ongoing):

- *Direct proceeds of the West Ashley Redevelopment Project Area and TIF District to construct supportive public improvements within the Citadel Mall area as an incentive for private investment.* TIF proceeds could be used to construct necessary infrastructure that supports private development activity, and to potentially subsidize an affordable or work force housing development demonstration project that, through its built form and location of a residential use in the area, contributes to fulfilling the vision of the town center.

Range of Businesses

Attract a wider range of businesses to West Ashley so that more people who live in the community can also work in the community

Adoption and implementation of Plan West Ashley serves as a signal to businesses and developers that the area is ready for transformation and is a focus for investment in Charleston. Starting with this momentum, West Ashley should be repositioned within the region so that it is considered a viable office node and home of innovative businesses, in addition to continuing its role as a retail destination and medical hub.

The following implementation projects form a strategy focused on aligning the messages and efforts of numerous entities engaged in economic development and workforce development efforts. This should become a major undertaking within the City's newly formed Department of Economic Development, but will also require close coordination with many other partners such as Charleston County, Charleston Regional Development Alliance, Charleston Metro Chamber of Commerce, Charleston Area Regional Transportation Authority, the state Department of Commerce, and the commercial real estate brokerage and development community.

Elevating West Ashley to take a more significant role in the regional economy by supporting office based jobs should be viewed as having a long-term benefit for the entire region, rather than setting up West Ashley to compete with other office locations. West Ashley offers a unique opportunity to bring more jobs closer to a highly-skilled local work force in an area that is well-situated to foster a regional multi-modal transit strategy. Both of these attributes are attractive to businesses looking for locations that appeal to young, highly-skilled members of the work force.

Immediate Steps (first 2 years):

- *Develop specific goals for targeting industries and business activities for growth in West Ashley, and refine strategies for achieving these goals.* While Plan West Ashley is a first step in understanding West Ashley's competitive strengths and weaknesses for attracting regional economic activity – including West Ashley's potential strengths in attracting business activity related to regional industry sectors concentrated nearby, such as aerospace, information technology, and health care and life sciences – further study and outreach will be necessary to craft specific goals related to industry clusters and activities to be targeted for growth. Those goals will in turn drive customization of the following actions of this implementation strategy and determine the direction of future policy changes and studies.
- *Promote West Ashley's specific strengths through the region's economic development promotional materials and networks.* These strengths include: regional accessibility, proximity to the airport, lower costs than other competitive locations, easy access to other major job centers, and access to a large and educated workforce.

Near-Term Steps (2 years – 5 years):

- *Work across all City departments to create a clear and coordinated message regarding equitable economic development priorities and efforts in the West Ashley area.* This kind of coordination will be an essential first step towards re-envisioning the area's role both in the City and the region.
- *Adopt the mixed-use regulatory standards per this plan's Community Design and Land Use Chapter,* with an emphasis on allowing office growth at key nodes and arterials, such as Citadel Mall, the intersection of Sam Rittenberg Boulevard at Old Towne Road, and the Ashley Bridge District.
- *Facilitate better connections between economic development, workforce development, and K-12 education.* This will ensure that all West Ashley residents are equally prepared to benefit from the area's expanding employment base, but will require participation from a large cross-section of institutions. An example of such a program is the Youth Apprentice Program funded and administered by the Charleston Metro Chamber of Commerce. West Ashley High School is included in this program, in which students are paid apprentices at businesses – including Hendrick Automotive Group – while receiving a scholarship to attend Trident Technical College.

Longer-Term Steps (5 years – ongoing):

- *Map business assets and infrastructure in West Ashley to identify areas better positioned for private investment versus areas requiring upgrades.* Such assets could potentially include high speed gigabit internet service, commute access, freight access, easily developed or redeveloped sites, worker amenities, and proximity to an existing employment concentration.
- *Explore the introduction of a business license fee reduction as an incentive for investment in West Ashley.* The City should examine whether a business license fee reduction program for businesses new to West Ashley would successfully incentivize additional business growth in the area.

Small and Local Businesses

Cultivate a West Ashley where all kinds of small and local businesses, ranging from retail to tech start-ups, can thrive

Although the Citadel Mall area offers a prime opportunity to build more Class A office space that could serve both West Ashley and the region, there are many more small-scale opportunities throughout West Ashley to provide creative office space and affordable commercial space to a wide range of businesses. Such business include small tech companies, locally-owned retailers, and other kinds of businesses that could serve and support West Ashley's resident population, and/or serve other businesses in the area.

Immediate Steps (first 2 years):

- *Better integrate West Ashley within the efforts of the Charleston Digital Corridor initiative.* These efforts could include the opening of the business incubator, promotion of West Ashley's excellent assets for growing businesses, and hosting of more events targeted to West Ashley residents, workers, and businesses.
- *Prepare informational materials highlighting West Ashley's locational advantages for small businesses.* Such information could include an inventory of buildings and property that are available for reuse or redevelopment. This effort must be jointly coordinated between the City and County, since not all commercial property in the West Ashley area is currently within the City, and some important sites remain in unincorporated areas. This effort will likely require dedicated City staff time, but could potentially be incorporated into other citywide efforts.

Near-Term Steps (2 years – 5 years):

- *Pursue the creation of a business incubator targeted to tech start-ups and small businesses.* An incubator in West Ashley could potentially be targeted to the Citadel Mall area to contribute to the emergence of the town center concept, although other locations with low cost spaces and/or easy access to the region should also be opportunistically considered.
- *Create a small business assistance program targeted to West Ashley, based on existing resources.* Such a program could connect small businesses with existing resources and incentives, and promote the benefits of West Ashley locations. The City should partner with other organizations targeting small business development, such as its ongoing partnership with Lowcountry Local First. A City staff person or a non-profit partner could potentially serve as a partner for implementing a program that targets use of existing resources in West Ashley.

Range of Facilities

Offer a full range of recreational, cultural, and civic facilities to support both residents and workers

The projects below support an overall strategy of enhancing recreational, cultural, and civic facilities in West Ashley to provide desirable amenities and attract new residents and businesses, while also better-serving current residents and businesses. Access to these facilities, and the services they offer, will allow West Ashley – and its individual employment districts and neighborhoods – to better function as a self-contained community that can fulfill all resident and worker needs.

Immediate Steps (first 2 years):

- *Promote existing community activities and facilities, and work with community members to create new community activities.* Existing activities and facilities include the Farmers Market, events at the private Schoolhouse office facility, the bikeway, and other outdoor amenities that make West Ashley special.
- *Identify ways to link West Ashley to existing cultural events in Charleston.* Charleston already has several signature cultural events, but these are focused in the peninsula areas. There may be opportunities to hold events associated with, or that spin off from, these events, but held at West Ashley locations including Citadel Mall, the Farmer's Market location, and the high school, which has a performing arts facility.

Near-Term Steps (2 years – 5 years):

- *Consider opportunities to locate City offices/facilities within the new “town center.”* City facilities would act as an additional activity anchor and provide a stronger civic presence in West Ashley.
- *Coordinate services such as emergency response, garbage pick-up, drainage maintenance, street maintenance, lighting, etc* between City, County, St. Andrews PSD, and SCDOT to increase efficiency and decrease duplicity.

Longer-Term Steps (5 years – ongoing):

- *Target future capital improvement plans to include the creation of additional parks and facilities.* New parks and community facilities should be prioritized when developing Charleston's future five-year Capital Improvement Plans.

Refresh Existing Shopping Centers

Facilitate refreshing and refurbishing the existing shopping centers and commercial properties that have vacant spaces and/or have a blighted appearance, including introducing a new mix of uses such as office space and housing

The following implementation projects support a strategy of encouraging reinvestment in commercial properties through a mix of financial incentives and expansion of allowable uses within a consistent framework of design expectations. The goals of this strategy are to ensure existing commercial centers are attractive and updated, while encouraging reuse and new development at commercial properties that may no longer be viable.

Immediate Steps (first 2 years):

- *As appropriate, allow flexible conversion or development of retail and other commercial properties into other uses.* As described in this chapter, some of West Ashley's older retail and commercial properties may be outdated or no longer needed for retail use. Where appropriate, as described in this plan, land use regulations should allow property owners to convert and develop their sites with alternative uses such as housing or different commercial space.

Near-Term Steps (2 years – 5 years):

- *Provide grants or tax abatements for façade rehabilitation and other visual site improvements.* Matching grants and/or tax abatements for façade rehabilitation, landscaping, and other relatively inexpensive visual site improvements will encourage property owners to reinvest in the appearance of properties. A first step in implementing this program will require identifying a funding source for grants, or an abatement method that would provide sufficient revenue to incentivize property owners to use the program. Business license fee abatement should be explored.
- *Align County and City design expectations for all unincorporated commercial areas within West Ashley.* West Ashley consists of a patchwork of incorporated and unincorporated properties, with different design standards and land use regulations applied to each. The County and City should undertake a concerted effort to align design expectations for commercial properties in unincorporated areas; the Wappoo Community Plan is an example of such collaboration.

Longer-Term Steps (5 years – ongoing):

- *Examine potential to establish additional TIF districts at mixed-use nodes and office growth locations identified in Plan West Ashley.* Based on the nodes and corridors identified in Plan West Ashley, the City should monitor and examine opportunities to establish additional TIF districts to fund supportive capital improvements and other assistance.

More Shopping like Avondale

Support more small-scale community shopping opportunities in outer West Ashley that look and feel more like Avondale in inner West Ashley

The following projects seek to address community desires for small-scale shopping options in outer West Ashley that are easily accessible and function as neighborhood gathering locations. The projects form a strategy of changing land use regulations to encourage the creation of such spaces, while also providing multimodal transportation options to provide residents choices for easily accessing these commercial amenities.

Immediate Steps (first 2 years):

- *Ensure zoning in outer West Ashley requires/ incentivizes location of community shopping centers or commercial buildings near new housing. Zoning should be updated to require – or at least allow – small commercial nodes located in close proximity to current and future housing, as appropriate based on this plan’s Community Design and Land Use chapter.*
- *Evaluate the feasibility of adding a parking structure to Avondale.*

Longer-Term Steps (5 years – ongoing):

- *Provide convenient pedestrian, bicycle, and automobile access between housing and shopping opportunities in outer West Ashley. Based on the principles of this plan’s Transportation and Community Design and Land Use chapters, residents of outer West Ashley should be provided convenient multimodal options for accessing shopping and community amenities.*

Attract New Industries and Jobs

Develop incentives and work with other local and regional agencies such as Charleston County Economic Development, Charleston Regional Development Alliance and the Charleston Metro Chamber of Commerce to attract new industries and jobs to West Ashley.

Near-Term Steps (2 years – 5 years):

- *Create and attract more Class A office product.* To attract One Region targeted sectors, it will be necessary to increase the Class A office product. The vast majority of white collar recruitment opportunities typically require substantial space (e.g. 25,000 sq. ft. or more).
- *Encourage the redevelopment of under-used land areas.* The undeveloped areas (parking lots, etc) potentially available on the Citadel Mall property for Class A office construction would benefit from the I-526 access and proximity to the airport, and could be appealing to any aerospace, automotive medical or IT entity or a back-office operation.
- *Work with property owners and help provide digital infrastructure needed to attract tech businesses.* Smaller IT projects, whether home-grown or recruited from elsewhere - could possibly be incorporated into converted retail space as occurred recently at Ashley Landing. This takes an open-minded shopping center owner with a fair amount of financial latitude with regard to the lease. A mixture of restaurants, coffee shops, and services nearby are examples of the right amenities that attract tech interest. This is also true in Avondale, and the revitalization of each of these shopping nodes creates similar amenities that may appeal to tech start-ups. In all of these areas, improvements for pedestrians and cyclists (such as crosswalks and traffic-calming measures) will be necessary for success. Tech companies may have more interest in West Ashley in the future as downtown Charleston tech becomes more saturated, and parking issues and rent continue to rise.
- *Utilize vacant shopping center space for back office projects such as call centers, which can have high employment.* These operations typically need a “plug and play” scenario where the telecommunications are already in place. Additionally landlords need to be open-minded and have a fair amount of financial latitude to attract these businesses. This again requires the open-mindedness and financial latitude described for smaller IT projects. Many times these vacant grocery store spaces are in play, unmotivated owners may be relatively content to let the space sit empty.
- *Work with local hospitals to explore the possibility new offices and medical facilities in West Ashley.* MUSC has blazed the trail with the recent announcement of their relocation of several functions to Citadel Mall. These workers now become part of the nucleus for other activities – with their demand for meals, services, etc. nearby. To the extent that they are also outgrowing their current locations, perhaps other medical facilities would also have this interest. Roper St. Francis, for example, recently consolidated their multiple back-office functions in Palmetto Commerce Park.

Support *Plan West Ashley*

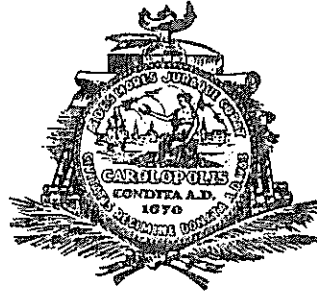
Develop an integrated funding and financing strategy to facilitate the many improvements that support Plan West Ashley

Although the City already has a wide-range of options available to fund and finance many of the improvements identified in this plan, deploying these tools in a strategic manner will require an ongoing effort of identifying new sources, new opportunities for expanding funding and financing tools, and incorporating major projects in the City's budgeting process and Capital Improvement Plan. This work would include evaluating in greater detail what funding/financing options might already be available, and where various actions need to be taken to open other opportunities.

Near-Term Steps (2 years – 5 years):

- *Complete a comprehensive review of the potential existing funding sources that could be best deployed for a variety of capital projects and services (including expanded transit service) in West Ashley.* Examples could include: district based financing assessment tools, tax increment financing, a general obligation bond, federal grants, state tax credits, tax abatements, expenditures of accommodations tax revenue, storm water fees, and a parking enterprise fund. Each of these sources has particular restrictions on use and are better or worse aligned with particular investments. For example, accommodations tax revenues can only be applied to capital projects and operating costs related to tourism. Therefore, these revenues – some of which are generated by hotels within West Ashley itself – are a potential funding source for events programming, promotion of West Ashley, and the streetscape and beautification recommendations in Plan West Ashley.
- *Investigate any funding/financing mechanisms not currently allowed by state law for which legislative changes might provide better opportunities for West Ashley.* The City has already begun to study this issue, but further investigation will likely be required as specific tools and constraints are identified. The City can leverage its membership in the South Carolina Municipal Association to assist with changes to state law and other policy challenges.

m1.)



Ratification
Number _____

AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY QUIT-CLAIM DEEDS, APPROVED AS TO FORM BY THE OFFICE OF CORPORATION COUNSEL, TO THE OWNERS OF THOSE PROPERTIES ABUTTING EACH SIDE OF HAYNE STREET, RUNNING FROM CHURCH STREET TO ANSON STREET, CONVEYING TO SUCH OWNERS ONE-HALF OF THE WIDTH OF HAYNE STREET AS SAID STREET ABUTS THE RESPECTIVE OWNER'S PROPERTY, SUBJECT TO ANY AND ALL EASEMENTS OR OTHER MATTERS OF RECORD (AS AMENDED).

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. At its meeting held on March 14, 2017, City Council conducted after conducting a duly noticed public hearing on the issue of abandoning, City Council voted to abandon a portion of Hayne Street, running from Church Street to Anson Street. City Council has now determined to abandon such portion of Hayne Street and to authorize quit-claim deeds being executed in favor of the adjoining owners of property.

Section 2. The Mayor is hereby authorized to execute on behalf of the City quit-claim deeds, approved as to form by the Office of Corporation Counsel, to owners of properties abutting each side of Hayne Street, running from Church Street to Anson Street, conveying to such owners one-half of the width of Hayne Street as said Street abuts the respective owner's property, subject to any and all easements or other matters of record.

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord, 2018,
and in the _____ Year of the Independence of
the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank,
Clerk of Council